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ARCHIVES OF MARYLAND

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

OCTOBER 1678—*NOVEMBER* 1683

PUBLISHED BY AUTHORITY OF THE STATE, UNDER THE DIRECTION
OF THE MARYLAND HISTORICAL SOCIETY

WILLIAM HAND BROWNE
Editor

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ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, *July* 10, 1889.

To the Maryland Historical Society:

GENTLEMEN:

We have the honor to submit the Seventh Volume of the Maryland Archives, comprising the Acts and Proceedings of the Maryland Assembly from 1678 to 1683, being the third volume in that series.

Respectfully,

HENRY STOCKBRIDGE,
BRADLEY T. JOHNSON,
Committee.

PREFACE.

This volume continues the Acts and Proceedings of the Assembly from October, 1678, to November, 1683. The former session was the first held after June 15, 1676, so that there is no break in our series. Of the session of 1678, the Upper House Journal, and of the two sessions of 1681, the Lower House Journal, are wanting. Of the session of April–May, 1682, we have only a small fragment of the Lower House Journal.

Although several of these original journals are in a pitiable state from the ravages of damp and insects—which probably is the reason that they were not transcribed in the later copies—we have printed them as they stand, as they are the original and only records extant, and, in the main, intelligible. Where we happened to have another copy of any part of the proceedings, we have filled out the gaps, marking the inserted words by brackets. It is almost needless to repeat that the verbal and orthographical errors or eccentricities of the originals have been faithfully reproduced.

As the Province grew to the north, St. Mary's at the extreme south was found not central enough to be a convenient place of meeting, while it had the further disadvantage of being insecure, as we find mention of pirates threatening Matapany, and the need of a guard to protect the Proprietary and the military stores. In 1654 and 1657 the Assembly had met in Ann Arundel County, though rather for political than geographical reasons. The session of 1683 was now held in the same county, to the gratification of the delegates, though the seat of government was not removed.

While there were some very slight chafings between the two Houses, and while the presence among the Burgesses of that unsavory reprobate Coode boded no good, yet great good feeling seems to have prevailed throughout the entire Province; to which, no doubt, the personal presence of the Proprietary, who seems to have been sincerely liked and respected, greatly contributed. Three times the Assembly voted him a considerable gift, with expressions of gratitude, but he declined it as unwilling further to burden the people. The records show no trace of any ill feeling on religious grounds. Yet in a brief time many of these very men were fomenting armed rebellion, and memorializing the King on the subject of "the Popish injustice and tyranny under which they had long groaned."

NOTES.

Page 44, line 10. "passada," *i. e.* raisin-wine.
Page 50, line 2. "spa," subpœna.
Page 68, line 34. Defect in MS.
Page 109, line 21. "1682" for "1681."
Page 121, line 16. "June" for "August."
Page 148, line 15. Blank in original.
Page 161, line 23. "presidents," *i. e.* precedents.
Page 165, line 8. Meaning not clear.
Page 204, line 37. Repetition in original.
Page 255, line 1. "Leister." "Leslier" in U. H. J. Probably Leisler.
Page 268, line 33. Gap in original.
Page 270, line 40. "thereupon," probably for "them upon."
Page 320, line 42. The fragment of L. H. J. breaks off here.
Page 356, line 16. "with," probably for "without."
Page 369, line 36. "he made" for "be made."
Page 385, line 16. "his Lordships," "person" omitted.
Page 488, line 31. "and a given," *sic.*
Page 409, line 14. "roome" for "rules."
Page 483, lines 4 and 21. Words "Upper" and "Lower" transposed.
Page 484, line 13. "Upper" for "Lower."
Page 491, line 2. "Exceting" for "electing."
Page 501, line 39. "nuge," *i. e.* nugatory.
Page 507, line 14. "the Publick of 6478." Apparently for "the public levy of 6478 lb tobacco."
Page 514, line 7. "wolves" omitted.
Page 560, line 29. "said Jacob" for "said agents."
Page 562, line 36. "Canterbury" for "London."
Page 584, line 21. "say" for "stay."
Page 588, line 40. "Lower" for "Upper."
Page 591, line 4. "Benedict Leonard Leonard," *sic.*

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, Oct. 20 to Nov. 14, 1678.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

THOMAS NOTLEY,
Governor.

THE LOWER HOUSE OF ASSEMBLY.

and Delegates of the Lower howse of Assembly
Maryes in the sd Province the 20th day
on of the Right honoble Charles Lord Baltemore
and in the yeare of our Lord 1678
Governor.

Court howse in the Citty of St Maryes
ome his honor the Gouˢnor thought fit
ow morning, and then desired the members
their ꝓceeding to the Eleccon of a
Dept.

October the Citty of St Maryes
The Dep ouˢnor & Councell, at the Court howse, and
the seate of Judicature, the Gouˢnor made a speech
to calling this prsent Assembly, wch was touching
seuˢall petrated by the Indians on the English, he
acquaints the upp howse that when the howse is setled, he will send them an accᵗ, what he Knowes touching it, orders them to goe together & Elect their Speaker, having apointed Robert Ridgely to be their Clerke. They goe into the Roome overhead.

They elect Capᵗ Philemon Loyd one of the Delegates for Talbot County to be their Speaker, he desires them to make a new & more worthy Choice, disabling himself for so greate a charge, They Unanimously ꝓsist in their Eleccon, & come downe & prsent him to the Gouˢnor for his approbation, Capᵗ Loyd againe Disables himself before the Gouˢnor & upp howse, beggs the Gouˢnor that he will ordr the Delegates to make a new Eleccon, prtending himself altogether uncapable of managing so weight Employmᵗ, The Gouˢnor makes a short speech to the Speaker & Delegates
he applauds the Judgᵗ of the howse in making choice of so ingenuous ding a gentleman for their Speaker, and so declares his approbation of con, and then tells Mr Speaker that he and the upp howse intend to John Bakers The Court howse wanting Chimneys and they leave it to to consider whether they will sit here or at the sd Bakers? The Gov howse take their leave of Mr

L. H. Journal Original. Speaker & the Lower howse, & Dep Roome p[r]pared for them at John Bakers.

M[r] Speaker put it to the vote whether this howse thinke fit to sit at John Bakers or at the Court howse where they now are

p. 2 Voted Nemine co

the said John

The howse ca Clerke having
taken the to calling
of the M

St Maryes

St Maryes Coun

m[r]

Kent County. m[r] Jos
m[r] Thomas Marsh
m[r] Henry Hosier
m[r] Samuel Tovey

Ann Arundell Coll W[m] Burges
m[r] James Rigby
m[r] John Homewood
m[r] Willm Richardson

Calvert County Christoph owsby Esq
m[r] Rich
Cap[t] dd
elingsly

Charles County C Dowglasse
Henly
Adams
Stone

Baltemore County George Wells
Cap[t] John Stansby
Cap[t] John aterton
m[r] Jo ott

p. 3 Woolman
Edm son
ison

us
ord

L. H. Journal
Original.

Ennalls.

Caecil frisby
nathan Sybrey
William Peerce &
Nathaniel Garrat

All appeared Except m^r Samuel Tovey a Delegate of Kent County Coll W^m Burges a Delegate of Ann Arundell County, M^r Richard Hall & M^r ffrancis Belingsly Delegates of Calvert County, & M^r William Steevens & M^r John White Delegates of Somerset County.

Put to the vote by M^r Speaker, whether the Speaker shall nominate any Member to be a messenger to the upp howse or to be upon any comittee or that the eleccōn of such ꝑsons be put to the whole howse.

Voted that Speaker from time to time appointe & elect such ꝑsons at his pl untill the howse shall vote to the Contrary Then did appointe M^r Kenelm Cheseldyne & M^r Robert Carvile to goe to wse to desire the Journal of the last Sessions of Assembly.

They Retorne answere that the upp howse will send the s^d Journal by a of their owne.

Then did the hon Gou^rno^r send for the Attorney Gen^rall M^r Kenelm Chiseldyne, & delivered him the Journall of the last Sessions of Assembly brought it into the howse.

Put to the vote what p. 4
shall be a Quo of
Voted

Then was
Put Comittees shalbe
sent for howse, or whether
only the Com bill, before the
bill be put
Voted f Every bill, & that
no bill be p owse The Comittees being
called in
Ordered the up the ord for setling the howse
& Rules to be observed to this howse for their
Consideracōn.

Jt was ꝑposed by a Mem at whereas the Gouerno^r in his speech to the howse this day declares how necessary it would be for this howse by some Act of theirs to make a Recognition of the Lord Proprietaryes power so that the Soldiers might be better Governed, and Ruled in time of warre.

L. H. Journal Original.

Jt was put to the Question whether it were not necessary to send to the upp howse for the Lord Proprys Charter that so this howse might see his Lo[pps] power & so Know what they did acknowledg.

Voted necessary.

Cap[t] Coade M[r] Rowsby Majo[r] Weekes & M[r] Hill appointed Messeng[rs] to the upp howse w[th] the sd message. They goe upon their Charge

They retorne & bring answ That the upp howse will search for his Lo[pps] Charter & this howse

Put to the Quest not necessary to apointe some Members of this howse to be a Co quire of priviledges & Eleccōns or not?

Voted Nemine Contr necessary.

Ordered that Cap[t] Bo Blomfeild & M[r] Bland be Clerkes of the Comittees of this h

Came the elo[r] & Coll Taylo[r] from the upp howse with a Coppy of the Lord etaryes Charter, and desired their pusall thereof and of the Printed Act wherein the Kings Articles of warre are markd and if this howse wants the Articles of warre the Lord Proprietary drew out

p. 5 they are not with any of the Members of this house of them, they will send them this howse morrow morning nine o'clock

Tovey Coll Burges M[r] R[d] Hall &

yesterday they being Delegates of Demaunded their reason by they Excuse themselves by their boome, M[r] Speaker & the howse their places according to the Dignity

ord[rs] for setling the howse & the w[ch] followeth in these words (vizt.)

St Maryes Lower Assembly October the 21[th] 1678. It is this day or[dered] by the Deputyes Delegates & Burgeses of this Province now Assembled that these one and forty Members (vizt) Capt Philemon Loyd Speaker Mr Kenelm Chiseldyne M[r] Robert Carvile, Cap[t] John Coade M[r] W[m] Hatton M[r] Clement Hill M[r] Walter Hall M[r] Joseph Weekes M[r] Thomas Marsh M[r] Henry Hosier M[r] Samuel Tovey, Coll William Burges M[r] James Rigby M[r] John Homewood M[r] William Richardson M[r] Christopher Rowsby M[r] Richard Hall Cap[t] Richard Ladd, M[r] ffrancis Belingsly, Coll John Dowglasse M[r] Robert Henly M[r] Henry Adams M[r] John Stone Coll George

Wells, Capt John Stansby Capt John Waterton Mr John Sc Mr Richard Woolman Mr John Edmondson Mr Winlock Ch Mr William Steevens Mr Roger Woolford Mr James Dasheil Mr te Mr John Steevens Mr William fford Mr Bartholomew Mr James ffrisby Capt Jonathan Sybery Mr William Peer Nathaniel Garrat or any Eighteene of them (whereof the Sp be one) assembled at the time & place prfixed shalbe a howse mons or a Lower howse of Assembly to all intents and purpo nd all bills Acts or ordrs passed by the sayd One and forty Members or any Eighteene of them whereof the Speaker to be one as aforesayd with p. 6 howse, & Enacted Right honoble lawes of Seale of as if they were ad of this Province

L. H. Journal Original.

St Maryes 21th 1678.
The Rule the Deputyes—
Delegates &
It is utyes or Delegates
of this Prov ordrs following be
observed by the now assembled
and by the Clerke of of Assembly.

First No burgese Deputy or this howse shall use any Reviling Speeches or name any one by his pp name but by another signification, (vizt) the Gentleman that spoke last or the like

2dly That no one speake above once at a Reading to any bill without lycense of the Speaker, & if two psons or more rise up together the Speaker shall apointe who shall speake first, & no may interupt another or speake till the other have ended.

3dly That no one shall deliver his opinion or speake sitting to any bill but shall stand up Reverently directing his speech to the Speaker.

4thly That every bill proposed to the howse shalbe read three seurall dayes before it be Engrossed & that every reading one day shalbe intermitted unlesse upon occasion Mr Speaker wth the consent of the howse shall therewith, and then one bill being read twice at one sufficient as read two seurall dayes & times when so entred Clerkes Journall.

5thly No one shall come into of Assembly whilst the howse is sitting with sword or other pon but shall put

L. H. Journal Original. the same into the hands of the Dorekeep ther pson apointed thereto upon paenalty of a fine as the Speaker Deputyes & Delegates shall thinke fit.

p. 7 Members bound to attend this Assembly who the howre & place appointed shalbe them Assembled according to the of the howse unlesse Speaker

7thly this howse shalbe censured

8thly one makes objection thereto mber to Speake to the said bill & mr Speaker shall thinke fit and

9thly The tsoever either Deputy Burges Delegate or make relation of any words Spo or otherwayes upon debate or conference up as the howse shall thinke fit & impose.

10thly That no bill this howse but that the Comittees be all called in, & it be a full howse.

The sayd ordrs for setling the howse and Rules to be observed in the howse being Read by the Clerke the howse approved thereof & ordered the Clerke to signe the same, & that they be imediately posted up in this howse, that any Member of this howse may have Recourse thereto at pleasure.

The sayd ordrs & Rules posted up in the howse by the Dorekeep accordingly.

Came Coll Taylo from the upp howse with these paps (vizt)

Up se of Assembly October the 21th 1678.

The Lower ho desired to apointe some Members of their howse to Joine in a Comittee of this howse to audite & state the publique accts and that they their Choice to this howse to morrow morning early, some Members shall then be ready to Joine wth them in the Comittee by ordr John Lewellyn Clerke of the Assembly.

Upp howse the 21th 1678.

The howse consider Season of the yeare and time of shipping & desirous to make what quick dispatch possibly they can; desire the Lower howse to

p. 8 ordr a comittee of their Lawes & considd Repealed.

put necessary to make

V

Then di M^r John Homewood L. H. Journal Original.
Cap^t Ladd White, M^r fford
& M^r Jam Eleccõns.
Voted sit every day from
twelve to two
Put to the Coll & the rest
of the absent Me the howse or by the
Comittee of priviledges
Voted that the same the howse.

Then did the Deputyes of Kent informe the Speaker that M^r Samuel Tovey a Delegate of their County is Desperately sick, whereupon this howse ordered the absence of the s^d M^r Tovey this Session of Assembly be dispensed w^th by the howse, & the s^d M^r Tovey to be Excused.

The howse also were informed by the Members of County that M^r Richard Hall & M^r ffrancis Belingsly were very desperately sick whereupon they were Excused by the howse

Then it was put to the Question whether Coll Burges shall have a Sum̃ons sent for him, or imediately be fined & censured in the howse for his not appearance here.

Voted that a Sum̃ons be for him & that the same be signed by the Clerke of the by ord^r of the howse.

Put to the Question if shall send to the Gou^rno^r this vote touching Coll Burges him to constitute an officer to serve the sd Burges with the or whether the howse have power of themselves to send a of their owne apointm^t

Voted that they have er, & that a Sum̃ons be drawne accordingly, and that be drawne up by two Members of this howse, who are to p^rsent it to this howse for their consideracõn

apointed to draw the same. p. 9
their Charge.
the boddy of Lawes he Retornes &
ring them

bout a Comittee of accounts
Members to Joine w^th some
ow morning, and desire their
ow before them.
with the sayd message in writing
his Lo^pps Charter may be read, for the
may know the power that the upp
Recognise by some publique act.
ther this Coppy brought by the Chancelo^r be read
or to desire that it may be signed as a true coppy of
the Lord Proprys Charter.

L. H. Journal Original. Resolved that it be sent to the upp howse to desire their honors to signe it as a true Coppy of the sd Charter.

Capt Coade & Mr Hill sent with the sd message & the coppy of the said Charter, they Retorne.

Enter Mr Rowsby & Mr Carvile with the Drawght of the sumons for Coll Burges wch followeth (vizt)

St Maryes The 22th of October 1678 Lower howse of Assembly This howse tak to consideracon the absence of Coll Willm Burges a member of this ho of the Delegates for Ann Arundell County from his duty in attending of this howse without leave thereof, where he is bound to attend ac lamacon doeth therefore ordr that a Messenger be sent from the the sd Coll William Burges without delay to appeare here and attend of this howse according to his duty or else that this howse will adjudge ntumacious & his absence to be in contempt of this howse, & that this ll pceed to impose a fine upon him for the same and ordered that the messenger doe deliver to him the sd Coll Willm Burges or leave at howse a coppy of this ordr

wch being Read the howse approved thereof, & ordered that the Clerke

p. 10 signe the same in the name

Capt Coade

this howse, if

The Ann Ar answere

that this thinke fit

Where be sent wth

psonally on

Burges howse

And that the of his actings therein

Then came & bring wth them

the Coppy of howse doe beleeve

that coppy now a true Coppy of his

Lopps Charter, & so

Came the Secry from this howse that the

Gournor & upp howse desire owse if this howse are satisfyed that this coppy of his Lopps Charter be a true coppy yea? or nay?

The same put to the Question.

And Resolved by the Major pt that this howse is not satisfyed that this is a true coppy unlesse the upp howse please to attest it by their signature

Mr Hatton & Mr Steeven's sent with the sd vote in writing

They Retorne

The Comittee of priviledges & Eleccons ordered to be sent out their Charge followes.

That they Examine & considder of elecc̄ons & undue Retornes made by sheriffs or other officers or any other acted or done against the priviledges of this howse of w^ch make Report to this howse from time to time. They goe Charge & L. H. Journal Original.

M^r Thomas B nted Clerke to that Comittee

Put to the question if it be sary for this howse to send to the upp howse to desire to Know have any thing to comunicate to this howse about the M mitted by the Indians.

Voted Necessary

M^r Walter Hall & M^r Rigby sent with the sd message in writing

They Retorne

upp howse with this pap (vizt) p. 11

October the 22^th 1678.

brought from the Lower howse by M^r

ing they finde no cawse to be satisfyed

this howse is a true coppy unlesse

py. This howse doe say that the

tion either printed or written can be

action of the Lower howse, wee doe

the coppy sent them by the hand of

acion of his Lo^pps Original Patent to

John Lewellyn Clerke of the Assembly

ready to beleeve the same as the upp howse

to signe the Coppy sent by the Chancelo^r as a true coppy of his Lo^pps Original Patent.

Cap^t Sybrey M^r Stone M^r Peerce & M^r Garrat sent with the sd message in writing & the sd Coppy of his Lo^pps Charter. They Retorne.

Came the Chancelo^r Secry & Majo^r Rozer from the upp howse & endeavo^r by seu^rall argum^ts to satisfy this howse that the s^d Coppy of his Lo^pps Charter is a true coppy thereof They Retorne.

M^r Rowsby M^r Cheseldyne Mr. Marsh M^r Christison M^r Edmondson & M^r Hosier sent to the upp howse to desire them to send to this howse the message in writing that was brought by the Chancelo^r, Secry & Majo^r Rozer, least that this howse should mistake their sense, & therefore desire to have it in their ow ds, and that the upp howse would please to apointe some Members to Joine with some Members of this howse in a conference touching the , and that their hono^rs please to apointe the time.

They their Charge. They Retorne.

Came M^r from the Comittee of priviledges w^th this pap

L. H. Journal Original. Proposed mittee to desire the howse to give their Judg[ts] & opinions whether ag[t] the Priviledges of this howse that any freeman Inhabitant how soever qualifyed as to his outward estate should be denyed for the Choice of Delegates

Tho: Bland Clerke Com: Priuil.

p. 12 The Comittee sent for by M[r]
Came Major
Upp howse
In answere to Members of
this howse wer howse
such in force lately comitted
by the Indians concerning the
same according Sessions.
of the Assembly
the howse.

The Comittee
Voted
It is also voted tion the Gou[r]no[r] & upp
howse that for uls of the Countyes may
give their votes in Elecco
Came Coll Calvert this pap (vizt)
Upp howse of Assem 22[th] 1678.

This howse in Complyance with the desire of the Lower howse in the within written message received from them doe say that the hono[ble] Chancelo[r] Secry & Majo[r] Rozer were desired to let the Lower howse know that this howse did much admire they should impose such an impossibillity upon the Members of this howse who never did see the Original Patent in Lattin and therefore could Judge of no translation much lesse of a coppy of it and that they had as much reason to question the authority by w[ch] they were called & now sit, having no other warrant but custome grounded upon this Translation, w[ch] hath alwayes beene taken for good, That if this coppy were not true yet were it lutely necessary to establish a Law for martial affayres. This howse ling to admit of a conference with a comittee of the Lower ord[r] thereunto, & for the better Effecting thereof, The Lower ed to draw up in writing a Memorial of what they & transmit the same to this howse by to morrow morning ten ck & by twelve this howse will admit of a conference.

by ord[r] John Lewellyn Clerke of the Assembly

The howse Adjourn ilst to morrow morning nine a clock.

October the 23[th] 1678. The howse called all appeare Except those absent yesterday.

p. 13 with the upp howse considered on in

was to be in these words (vizt) L. H. Journal Original.
October the 23th 1678.
upp howse desiring a memorial of
have voted that in the first
ull satisfaction upon what grounds
coppy of his Loppps Charter brought by
ll misinterprtation to secure the continuance
concurrence betweene both howses for
in Respect of pt of the message
only intended an Establishmt of Lawes
to conferre as well about the Conveniences
or n gorous or severe martial unles at a Juncture
the Province are disobliged from any Ty of their owne
of Indian warre ensueing, as also about the Reviving
and made last Assembly Entituled an Act for pviding
for the security & defence of this Province.

Major Weekes & Mr ffrisby sent wth the sd message in writing, they retorne.

Put to the Question whether the Charges Spent this Assembly by the Delegates should be pd by the publique in generall, or by the pticuler Countyes of wch they are members

Voted by the Major pt that it shalbe pd by the pticuler Countyes.

Members appointed to manage the conference with the Members of the upp howse (vizt) Mr Rowsby Capt Coade Mr Cheseldyne Mr Christison & Mr Carvile.

The how ceed to thinke of heads for the sd Members at the conference

The howse same members a Comittee to considder of the sd heads and the Law rty and defence of the Province.

Boteler apointed their Clerke.

It was put to the howse what the Clerkes of the Comittee shalbe allowed a day to their owne Expences & dyat.

Voted that they fifty pounds of Tobacco a day a peice and that they nothing upon the publique.

Came Coll Taylor fr upp howse & acquaintes this howse that the Gournor & upp howse are ready for & Expect the members of this howse in conference.

Mr Hatton & Capt Ma p. 14
for an houre, and
in conference. They

This howse Marsh M
William ster George
Wells mem upp howse
to make a Co to audite &

L. H. Journal Original.

state them, to this howse
what Membe the Members
of this howse the Members of
this howse shou
Docto^r S They Retorne
Came Coll essage (vizt)
Upp h 3^th^ 1678.
L^t^ Coll Thomas Tay & Members of this howse
appointed to Joine with a Co for inspecting
the publique accounts, & w them to morrow
morning in the middle Roome be both howses, where-
fore the Lower howse is desired to give notice to this howse
to morrow morning what time their Comittee wilbe ready to
attend the members of this howse apointed to Joine with them.

Signed by ord^r^ John Lewellyn Clerke of the Assembly

A proposal by a member of the howse.

That the seu^r^all & Respective County Courts be Empowred by an act to put up seu^r^all Rules in their Respective Co^rts^ for the well Governing thereof and und^r^ such small fines as they shall thinke fit not Exceeding 10^s^ & that the same be at the dispose of the County ^ts^ for the maintenance of the poore of their Countyes or other such ses.

Voted Necessary and the ttee of Lawes draw up a law for that purpose.

A Member of this h aynes that being a Justice of the County he hath beene sum̄oned by ry officer to appeare in ꝑson at trayning & he not appearing hath and threatned with the leavyeing it, & that it is pursuant to viding for the security and defence of the Province,

Ordered that ttee of Lawes inspect the s^d^ Act & amend it in that ꝑticuler.

A ꝑposall of a Member of this howse.

Whether it be not necessary that a p^r^pared to passe this howse that no ꝑson

p. 15 due upon any acc^t^ whatsoever untill demaunded of the Debito^r^ in the County where

bring this paꝑ (vizt)
to the Members conferees of o^r^ howse
the Gou^r^no^rs^ speech a Recognition of
of the soldiery, And afterwards those
lating to warre, being Cheifly Recomended
howse delivered by the hono^ble^ Chancelo^r^
Recognition was the only & all the
hono^ble^ the members of the uꝑ howse
humbly conceiving that without

Lo^pps Charter wee might Equally incurre the the Right of his Lo^pp as of the good people of this Pro willing to avoyd. L. H. Journal Original.

2^dly That if the hono upp howse had at first informed us that they only intended An Act Requiring the due obedience of the Jnhabitants to his Lo^pps officers in such articles of warre as might be agreed on by both howses, This howse would have beene so well satisfyed with that pt of his Lo^pps Charter relating to martial discipline, that wee should as little desire a coppy as the Original not but that wee conceive it very necessary both for his Lo^pp & the good people of this Province that an authentique coppy of the true translation of his Lo^pps Charter be Recorded in the Secretaryes office of this Province, together with the Lawes & ordinances of this Province as being the foundation of the same.

3^dly That this house ery well satisfyed that for the good Governm^t of this Province it tely necessary that for the defence of this Province that a wholesome La lating to Martial affayres, for w^ch wee conceive that the late An Act pviding for the Security and defence of the Province, spective amendm^ts and additions as may be agreed on by both howses sufficient

The foregoing being Read in the howse, The whole howse consented & agreed should be insisted on at the conference and

Voted that this Resolve into a grand Comittee to attend the Conference, & that M^r Speaker with the Comittee manage the said conference.

They go the upp howse upon the conference. They Retorne.

Came the Chancelo^r p. 16
paps Relating to the
The howse

October the 24^th
Then was Maj the heads
used at the Co
Articles of w
They Retorne his printed
coppy of his Rowsby a
Member of them
Came Gou^rno^rs acc^t
The howse Article pd Capt Eely
27^ls 09^s 09^d & not this howse are of
opinion that his hono^r hath therein specefyed & for
his hono^rs kindnes to the Co Retorne their humble
thankes, but as to the s^d 27^ls 09^s 09^d pd Capt Eeely, this howse
desire to know what the same is for, that the Country may not

L. H. Journal Original. be Cheated by Presse Masters & Comissaryes in p^r^tending to have pay for that w^ch^ his hono^r^ hath bought & payd for already

M^r^ Steevens & M^r^ Hatton sent to the upp howse w^th^ the sayd message in writing they Retorne.

Came the Secry with the accounts Muster Roll & Journal of the Expedition ag^t^ the Nantecoake Jndians.

On the backside of the Go o^rs^ account was thus written, Whereas by the advice & consent of Gou^r^no^r^ Councell & Delegates p^r^sent at the laying of the last publique of this Province the sume of 20000^ls^ Tobacco was Depos erno^rs^ hands for Repayring of the state howse, Since w^ch^ time of said leavy seu^r^all accidents have hapned w^ch^ have Required ding not only the said sume of 20000^ls^ of Tobacco but also the Tob over & above the sd 20000^ls^ Tob: by the sd Governo^r^ as by the pticulers of the within acc^t^ being for the use and service of Country, The Gou^r^no^r^ therefore desires that he may be discharged from sume of 20000^ls^ Tob: deposited as afores^d^ and that the same may be entred in the Journal of both howses and that the said

p. 17 may be awarded him out of the publique

Gen^r^all Assembly.

1678.

and are of opinion that the same to considder thereof that the discharged of & allowed the 11206^ls^ yeare, according to his Request if ccount.

Lewellyn Clerke of the Assembly.

The Gou in this howse, This howse allow of the sa w^th^ the upp howse in their above vote, & ordered from the sayd 20000^ls^ of Tobacco, and be allowed out of the pub vy the ballance of his account 11206^ls^ of Tobacco.

M^r^ Christopher Rowsby & Capt Marsh sent back with the s^d^ account.

They Retorne.

M^r^ Hill & Capt Marsh sent to the upp howse to acquainte them that our Comittee of accounts are ready to attend the Members of the upp howse.

They Retorne.

M^r^ Rowsby Delivers into the howse, the Kings printed Articles of warre.

Came M^r^ Woolman from the Comittee of priviledges w^th^ this pap.

24th of October 1678 The Comittee desire the Judgt & opinion of the howse L. H. Journal Original.

1 whether it be n gainst the priviledges of the howse that any of his Lopps high this Province, during the time of being sheriffe should sit as a Mem Lower howse of Assembly.

2 Whether it said priviledges that those Delegates that were elected by the the Province to sit in the last Assembly were not all called down Assembly.

3 whether it be not priviledges that a Member is not elected to sit in this howse th all Assembly in the stead of Mr John Hudson formrly Chosen for Dor unty who is dead.

4 whether it be not agt priviledges that the Attorney Generall for the time being or any one of his Lopps Councell at Law should sit as a Member of the Lower of Assembly. Signed by ordr of the Comittee of priviledges & eleccons.

Tho: Bland Clerke

p. 18

Came the Secry from
The Comittee of
The howse pceed the Comittee
1 To the 1st this howse
2 To the 2d in a full howse
3 To the third that a fayre
message be electing another
member
4 To the 4th res sitting in the howse
is no breach
The in the upp howse about

The howse nine a clock.

October the 25th 1678

The absent as before.

Then was Mr to the upp howse, to know if their Members of are Ready to Joine wth the Members of this howse he Retornes, & brings answere they are Ready

The Comittee of accounts goe upon their charge.

A pposall of a Member

Jt was Enacted by a Genrall Assembly Anno 1661 that all vessells whatsoever not pply belonging to this Province having a Deck flush foe & afte comeing in & tradeing in this Province shall pay for Port dutyes to the Jnhabitants of this Province for want of clayming their priviledge prserved by this act or the collectors allowing the benefit thereof to them have pd Port dutyes for their proply belonging to them as strangrs

Whether it be not necessary howse to take notice

L. H. Journal Original. thereof that for the future the priv Jnhabitants of this Province may be in this ꝑticuler

Proposalls to this omittee of conference

1 whether an Exception of ates Delegates Preistes & Ministers out of the first Clawse of ituled An Act ꝑviding for the security and defence of this ot fit to be insisted on.

Voted that ferred to the Comittee.

2 whether it be not fit tha clawse enjoyning every ꝑson to bring a good fixed Gunn shalbe construed to Extend further then to the trayning & whether if the same pty be comanded into the ild for the service of the Lord Propry he

p. 19 Gunn or shalbe Supplyed out of

Comittee

their Gunns fixt their being not when they are broken.

mittee.

mentioned ought not to be adjudged of people thereunto especially— shalbe put?

the millitary officer.

5. publique leavy be taken into the consid

6 that the howse have an acc^{t} of the Moyety of 2^{s} ꝑ hdd a Magazeene & Armes & Amunition for the defence of the Province & defraying other publique necessary Charges of the Governm^{t} and that their be ꝑvided in Every County out of the said Moyety of the 2^{s} ꝑ hdd, a store of armes & Amunition if it will beare it.

Voted Necessary.

7. whether all Troops are not bound to finde themselves saddles & furnitures aswell as horses?

Voted in the affirmative, & also that Every Troop finde & provide himself with sword Carbine Pistolls & holsters.

8 Whether the Tro being with the foote bee not meant at times of open hostillity.

Vo affirmative.

9 That the Claw an Act concerning pressing of provision be considered in the howse

voted County Court Every yeare apointe two presse masters in Every hundred

Voted that it inion of the howse that his Lo^{pp} hath aswell power to Governe Raysed by martial Lawes, as

he hath power to Rayse it, this howse leave it, further L. H. Journal Original.
to our comittee of conferrence to disco pointe fully
at their conference with the Members of the upp and
to make a Report to this howse of their Resolves there.
also that our sold p. 20
the ffeild and if the
them to have
Ca edges w^th^ this pap
Octo
The Comit by the Lower
howse of ous & undue
Retornes matter acted
or done ag to make Report
to the how considered all matters
& things Report as followeth
That they en due elecc̄ons or Retornes
made by the sheriffs ag^t^ the priviledge of this
howse save that Cap^t^ Jon sheriff of Cæcil County
sits in the howse ag^t^ the P howse.

Thomas Bland Clerke to the Comittee for privil & Elecc̄ons

This howse have appointed M^r^ Christopher Rowsby M^r^ Kenelm Chiseldyn Cap^t^ John Coade M^r^ Winlock Christison Coll John Dowglas & M^r^ William Richardson Members of this howse to Joine with some Members of the upp howse to be a Comittee for the Consideracō̄n of the act for the Security & defence of this Province, and the necessary Articles of warre, and the sayd Members of this howse are now Ready and desire the upp howse to give notice what Members they please to apointe to Joine with ours in the sd Comittee, & when & where our Members may attend them.

Coll Dowglasse & M^r^ Richar w^th^ the sd message
A ꝓposall by a Mem
whether it be not necessary to considder by some law
to Regulate the Excessive ffees of Clerkes tive County
Courts of this Province and the greate Extortion by
in their office in ffees not ascerteined
Likewise
Whether it be not nece howse to ascerteyne the Rates
of wine, brandy Rum, and other liquo^rs^ of by Ordinary
Keep at Excessive Rates
Came the Sur all with this pap.
Upp howse of Assem ober the 25^th^ 1678.

A mocō̄n made by a Member of this howse to put downe all Ordinaryes in the Province, Except only at the Pr ciall Courts County Courts and such places where it is absolutely nece
at a fferry be Kept.
this howse that an act be drawne up for that p. 21

L. H. Journal Original.

ticuler places where fferryes ought (for the kept, and that no ordinary be kept at any Co^rts & such other places as shalbe altyes as shalbe agreed and concluded

Clerke of the Assembly.

within vote Provided that the County have power of lycensing & supp^rssing best Sensible of the quallity of the time; still Reserving such ffees, as shall as have lycense to the use of such ꝑsons to be awing up the Law the Prizes of wines &c ttee shall thinke fit.

to goe with the sayd message they goe & Retorne with these two paꝑs:

Assembly October the 25^th 1678.

The hono^ble The Chanc & the hono^ble the Secry are apointed by this howse to Joine in Comittee with those Members of the Lower howse within mentioned to considder of the Act for security and defense of this Province, and the necessary articles of warre & St Maryes Roome is the place apointed for the sayd Comittee to sit in where the Members of the Lower howse within mentioned, are desired to attend those of this howse above named to morrow morning at Eleaven of the clock.

Signed by ord^r John Lewellyn Clerkė of the Assembly

Upp howse of Assembly October the 25^th 1678.

Voted that Medera, ffyall, & all sorts of wines of the growth & production of the Islands of Az be from & after the 25^th day of July next ensueing, ꝑhibited to be imported Province wherein this howse desires the concurrence of the Lower howse, they would consent to Draw up a Law for the same purpose.

John Lewellyn Clerke of the Assembly.

The ho whilst to morrow morning nine a clock October the 26^th 167

The howse p^rsent Except absent as yesterday. Came the Secry f howse with this paꝑ endorsed on back of the message about Or

Upp howse October the 26^th 1678.

This howse readily co the propositions of the Lower howse above mentioned, and thinke that an act for the same purpose be drawne by a Comittee of both howses.

Signed by ord^r John Lewellyn Clerke of the Assembly

p. 22 Voted that the Comittee consideracō̄n that al future Assembly

Mr Car for conference L. H. Journal Original.
to considd howse about
Members
Vote publish the Retorn
of all win yeare.

Touc
This howse portacon of Madera
& fyall to trade, but conceive
that whe of peace in their
Respective Cou & suppressing Ordinary
Keeps that Drun in this Province as it hath
done, & consequently the or debawched, & so this
howse cannot concurre with thin vote.
Coll Wells & Mr ffrisby , with the sd message to the
upp howse

The howse ordered Capt Quigley's petition to be read together with the Endorsemt thereon wch followeth (vizt)

Upp howse of Assembly October the 24th 1678.

The petr making good such defects in the state howse as the Members of the Lower howse shall award, and giving good Security for his pformance this howse doe consent and are willing, that the Sume of 20000lbs of Tobacco be awarded him out of the publique Leavy according to his Request and for the rest of his petition this howse Referrs the same to the Consideracon of the Lower howse.

Signed by ordr Lewellyn Clerke of the Assembly

Then did this howse apointe Majr Mr ffrisby Mr John Steevens Mr Woolman Mr Adams Mr Homewood to be a Comittee to veiw the state howse, & to have igley's petition, and Considder effectually whether the sa med Exactly according to the Act & make their Report to writing, also to see where their may be Partitions or Ch according to the Governor & Councells desire and that they make to this howse on Munday morning next

Thomas Bland app Clerke to the sd Comittee.

Came the Chancelor from the upp howse with this pap

Upp howse of Assembly Octobr the 26th 1678.

from the Lower howse in answere to the p. 23
rohibition of liquors, this howse doe say that
Debawchery in this Province, that private
lityes of ffyal & Madera wines—
their Jmportacon is no encouragemt
to pay their Just debts contracted
nd thereby driving Marchants out of
bts. And for these reasons they Judge the

L. H. Journal Original.

Rating the prizes of liquo[rs] wilbe short of
the Lower howse to Resume the debate
wellyn Clerke of the Assembly
full howse.

M[r] H to acquainte them that this howse will
A Retorne
whilst Munday morning nine a clock.

October

The howse appeare Except the absents before.

Coll Burges comes into the howse & being called to an account by M[r] Speaker, for not attending the howse before, he Submits himself to the howse p[r]tends himself Jgnorant of the pclamacō̄n, his being newly arived out of England, had not then beene at home nor seene his wife & Children humbly craves the howses Excuse.

The howse admits of his Excuse, and takes his place accordingly

The Comittee appointed to veiw the state howse Exhibite their Report (vizt)

October the 1678.

The Comitt & apointed to veiw the State howse & to puse the Act & Cap[t] Quigley & considder effectually whether the same be pformed exactly accord & make their Report to this howse in writing.

Also to may partitions or Chimneys be made according to the Gou[r]no[r] & Cou This Comittee having veiwed the sayd state howse and having consider matters and things comitted to their Charge doe make their Repo eth (vizt)

1 They finde the state how tive in this that the Lower ffloore of the sayd state howse and the Po not paved with fflat paving stone according to the direccō̄ns in the Act.

2 They finde the sayd state howse defective for that their wanteth Benches in the Porch.

p. 24 3. They finde the said state
playstered nor the and is not
Tyte.

They fur betweene the
two Quoin

They to referre the
Setting out Chimneys to the
ord[r] & Direc

of the Comittee for
e howse.

The upp & ffyall wines to be imported into
into Consideracō̄n & the Debate thereof

And thereupon this cannot Recede from their former vo L. H. Journal Original.

Coll Burges & Majo^{r} Weekes Sent upp howse with the said message

They retorne.

Some debate being had about Cap^{t} Quigleys petition wherein he offers to build more to the state howse & Chimneys &c M^{r} Rowsby & M^{r} Cheseldyne Sent to the upp howse to desire to Know what Ground belongs to the state howse.

They Retorne

Came the Surv^{r} Gen^{r}all from the upp howse with this pap (vizt)

Upp howse of Assembly October the 28th 1678.

The Lower howse having given no satisfaction nor shewed any Reason to this howse wherefore they will not from their former vote, this howse desire to conferre with the Lower cerning the same, & desire they will in ord^{r} thereunto attend this how ternoone.

Signed Lewellyn Clerke of the Assembly

M^{r} Adams & Cap^{t} Henly howse to acquainte them that this howse will attend them oone in conference. They Retorne.

An Act for lyable to Execucōn read once.

A ꝑposall of

That the upp howse be at the Comission of the Justices of the County Courts be inlarged so tha may have full power to heare & determine all Civill cawses whatsoever whether accōns of debt, Trespas, Trover &c without any limitacōn of any s whatsoever or with lymitacōn of Tenne

of Tobacco, as his hono^{r} the Gou^{r}no^{r} & upp p. 25
hogstealers may be ꝑsecuted, & punnished in the offence, and also other small offences as

Cap^{t} Ladd M^{r} ffrisby M^{r} Homewood

message. They Retorne.

acquaintes this howse that Cap^{t} Brandt is now going from the Assembly and wilbe out, Therefore the upp howse it be necessary for the sd Brandt & howse would Send their answere—

to the

taken into consideracōn in the howse

The thankes to the hono^{ble} the Gou^{r}no^{r} & upp howse for vise whether Cap^{t} Brandt & his Troope should Range further This howse are of opinion that now the

L. H. Journal Original. leaves are Dropping off the Trees, and the weather like to be cold, that the Inhabitants of those ꝑts have not the same Reason to be afrayd of the Indians as they had, so that their is not now the same Reason occasion & necessity for the said Troopes further Ranging as their was when first ordered to Range, but if their shalbe any new occasion such as the hono^ble the Gou^rno^r shall thinke fit to Range—further this howse humbly referre it to his hono^r the Gou^rno^r to take such ord^r therein, as he shall thinke fit

M^r Adams & M^r Hall Sent to the upp howse with the sd message

Th rne

Then did M ker apointe M^r Chirs wsby M^r Kenelm Chiseldyne Cap^t John Coade M^r Winlock Christison Co lasse M^r William Richardson Coll William Burges Cap^t & M^r Robert Carvile to be a Comittee of Conference

The Comitt called in Then was a bill Read Entituled An Act Directing of Electing & sum̄oning Delegates & Rep^rsentatives to serve in succeeding Read once & passed

Coll Wells, Maj Cap^t Waterton, & M^r Ennalls sent to the upp howse with the said ey Retorne.

M^r Steevens & M^r Richardson sent to the upp howse to acquainte them this howse a eady for the conference.

p. 26 M^r Rousby Cap^t Coade apointed to assist M^r

The howse Re the upp howse

After the to be reassumed

Ca with the Act

Upp

The Act tes & Rep^rsentatives to serve in will passe the same with the be added to the ffreehold Act for the Quallification of Delegates, ough or Burroughs be also incerted in the sa County or Countyes hereafter to be erected by his Lo^pp the sayd Act, The Citizens & Delegates this howse coul by the words (Delegates for the Countyes Cittyes & Burrou writ mutatis mutandis as is directed to the sheriffs of the Countyes for electing foure Delegates be sent to the Majo^r Record^r or Aldermen of every Citty or Burrough to Elect two Delegates to serve in the Assembly for such their Citty or Burrough

Signed by ord[r] John Lewellyn Clke of the Assembly L. H. Journal Original.

It was put to the Question whether the s[d] Act passe with the word Seated or as it was before yea or nay?

Voted that it passe as it was before without the word Seated, but if the upp howse are unwilling to passe the same without that word, then this howse desire that it may be incerted that the ffreemen of this Province may have their votes according to my Lords and this howse concurrs w[th] the upp howse in the Remaind[r] of the said.

M[r] Cheseldyne & M[r] H the upp howse with the sd bill & vote They Retorne

The howse adjourned rrow morning nine a clock 29[th] of October 1678.

The howse call Except absent as before.

This howse Reassumed whether fiall or Madera wine shalbe ꝑhibited importacō ovince yea? or nay?

Voted that this ho see no Reason to recede from their former vote.

Sent to the upp howse by M[r] Homewood & M[r] Rigby. They Retorne

Came Coll Colvert from the upp howse with the act about elecc̄ons endorsed October the 29[th] 1678. p. 27

from their former vote, & therefore

ssing this bill without the amendm[ts]

ellyn Clerke of the Assembly.

the Comittee of conference & acquaint

in the sayd Conference, who went

bers of our howse proposed to them

of the Comittee of both howses The

desire the sense of the howse in it

The is howse and

Voted tha tee of both howses it is the Right for

th with the Members of the upp howse a

a Chayre man imposed

Gen[r]all & Majo[r] Rozer from the upp howse with this message in writing (vizt)

Upp howse of Assembly October the 29[th] 1678.

Voted in this howse that the Members of the Lower howse be desired to draw up a bill ꝑviding for the Security and defence of the Province, & that when they have so done, they transmit the same to this howse for our approbation.

Signed by ord[r] John Lewellyn Clerke of the Assembly

A ꝑposall of a Member

That the Records may be inspected to see what Right the Country hath to this 100 Acres of land S[t] Maryes, that if

L. H. Journal Original. their be any defect in the assurance then that an A may be drawne this Assembly to supply it.

Voted affirmative & that the upp howse be desired to ordr the Secry to tran of all the Records relating to the sd land to this howse.

Then was M Rowsby Mr Cheseldyne Capt Coade Mr Christison Mr Richardson asse Coll Burges Capt Stansby & Mr Carvile appointed by Mr a Comittee for Drawing up a Law for defence of the Province & R dinaryes, & inspecting all the Lawes of this Province, and for Dr such other Lawes as shalbe comitted from this howse

They goe Charge.

Mr Hall & Mr Adams sent to the upp howse with the message about the Land at St Ma in writing They Retorne.

p. 28 A proposall of

That the vast quant oppression to the Jnh ffeilds &

Jn answere this howse give the Lower howse Politique of its self the Secry made over to the Right by deed drawne by Mr Richard is in due forme of Law.

of the Assembly.

Then did Mr County appeare & alledged he had beene sick of sooner. The sd excuse admitted of & the sd Mr member of this howse, according to the Seniority of

Came Coll Coursey upp howse wth these paps

Coll Colebornes peticon Endorsed (vizt)

Upp howse of Assembly October 29th 1678.

This howse doe thinke that the petr might well enough have Secured the Leavyes within mentioned had hee beene carefull to looke after them in time and that therefore he ought not to be allowed for the same out of the publique Leavy.

Signed by ordr John Lewellyn Clerke of the Assembly

This howse concurre with the upp howse in the above vote

Also the peticion of Edwa sbands endorsed (vizt)

This howse are of opinion that th th his Remedy at law and therefore ought not to trouble the upp ses of Assembly therewith

Sig John Lewellyn Clerke of the Assembly

This petition of Husband Consideracōn of a full howse.

Jn answere to th the upp howse brought this morning L. H. Journal Original.
by the Chancelor in relat Acres of land at St Maryes
this howse doe say, That althoug wse is fully satisfyed
of the purchase of the whole 100 Acres to the Co Yet
notwithstanding at this time this howse only desires that foure
acres of the same land, lyeing most contiguous to the state
howse may be psently layd out and Reserved to such use as
the Lower howse

fit freed from any incombrance wtsoever p. 29
allotted to that use.
Hall & Mr Walter Hall sent to the upp

Capt Henly sent with the Act of
bornes petition & this howses answere
They Retorne.
with the message about the Towne Land

Lower howse within mentioned
lyn Clerke of the Assembly.

Then ttee for veiwing the state howse, & the
Sayd Com to treate wth Capt Quigley, & bring his
a Report to this howse to morrow morning tenne

The urnes whilst to morrow morning nine a clock
October the 30th 1678.

The howse called all psent Except absent as before & Mr
fford sick

Then did Mr Rousby a Member of this howse acquainte the howse that being with the Gournor last night, his honor desired him to informe this howse that for his Acre of Land in the Citty, he is willing & ready to Relinquish his Right therein to the Countryes use it lyeing contiguous to the state howse.

Then did the howse take into Consideracon the petition of Edward Husbands transmitted to this howse from the upp howse

& Thereupon it the opinion of this howse that the sd Husbands have his Re law.

The Comittee the state howse Report that having treated with Capt Quigley Chimneys & making a Partition in the State howse according to the them by the howse doe make their Report as followeth.

That the sayd igley demands 20000l of Tobacco to substantially build the three Chimneys with brick in the State howse, and like ake a partition, betweene the two Quoines of the stayre case the tition to be double lathed with convenient doores well batten'd to be six foote & halfe broade if the stayres will admit with a wicket in the

L. H. Journal Original. p. 30

to be two foote & foure Inches with boltes locks & hinges the said worke to be compl

the

Cap^t Quigley paracōn of the
state howse
John Repayre for and
during the an Ordinary in
the same to Keepe good
& Creddible of the hono^ble Councell
& Burgeses visions of the best sort
for their En convenient howses
on his ow he can take up land in
the Citty, & his heires forever.
The sayd with, & ordered to retire.
After his Depture the sayd Quigley.
The howse Adjo morning nine a clock
31^th October 1678: howse called all Except absent
as before

This howse being altogether dissatisfyed with the managem^t of the Trust of the 100 Acres of land, having not now left Three or foure acres thereof to the Countryes necessary use have voted that this howse Request the upp howse to let us Know whether wee have any Right or Title to the sd 100 Acres of land at st Maryes cōmonly called the Countryes land from the purchase made about the yeare 1663 or not if a Right, why at this time denyed three or foure acres to be layd out for the p^rsent use of the State howse, if no Right by what meanes & when lost if never any good Title what is become of the purchase money & Interest, fa desiring since wee can procure no Record Relating to the p^rmises to the Clea thereof nor of his Lo^pps Charter lately desired to let this howse know assurance wee may more confidently expect a safe other purchase matter or thing tending to the Interest & benefit of Country.

Majo^r Weekes atton & M^r ffrisby sent with the said message Retorne.

Came the Surv^r Coursey from the upp howse with the Act of Naturalization this message (vizt)

Upp howse mbly October the 31^th 1678.

The within message from er howse being read and Considered of by this howse they doe in answere thereunto say that his hono^r the Gou^rno^r hath not power to enlarge or alter sions of the County Courts more then what they

p. 31 out of this Province.

pinion that what is desired by the Lower howse therein mentioned be necessary and wer howse to incert their Request into become suito^rs to his Lo^pp to graunt

Lewellyn Clerke of the Assembly. L. H. Journal Original.
at this howse have an account of the
Expended for a Magazeen Armes
defraying other publique
se humbly desire of the hono^ble the
umber of Armes, & what quantityes
of zeene This howse also thinke it
necessa & Amunicōn be provided in Every
Cou of 2^s p hdd, as farre forth as it will beare
it a speedy answere to this message for that the
Comittee drawing up a law for the defence of this
Province cannot ꝓceed till they have the upp howses answere
thereunto.

M^r Adams & M^r Rd Hall sent to the upp howse with the said message in writing They Retorne.

Came the Secry from the upp howse w^th this message (vizt)

Upp howse of Assembly October the 31^th 1678.

In answere to the paꝑ. of the Lower howse relating to the 100 Acres of land whereon the Citty of S^t Maryes is built the upp howse doe say that the Lower howse understand the case for, First both howses of Assembly much lesse the howse alone cannot be deemed a boddy Politique capable of succession chase lands being subject to dissolution so that the Propry alone was ca eiving the sayd land neither can they be capable of an use for Secondly they are not denyed three a foure acres for the p^rs state howse but may have it layd out upon any ꝑt of the land up w^ch is in all but 11 acres out of the 100 Acres. Thirdly his Lo to Record his Patent, & for the Record of the Conveyance for by w^ch the Lord Propry is lawfully invested w^th the land on w^ch the Ci ilt, the Original is to be ꝓduced, witnessed as wee suppose by two of ges of the Provincial Co^rt and this howse will cawse search to be made for it, and if the Lower howse suspect their is a Record of it & concealed from them the upp howse desire them to apointe two members of their owne howse to Joine p. 32 with cannot finde it

sembly
upp howse

Came the

Upp
The two shil
for the Gou^r
thereof as
Amunition
But as for
howse th
cannot concu

it is impossible
of the moyety
Armes &
will send them
this Province, this
so to doe, & therefore
wse therein
Clerke of the Assembly.

L. H. Journal Original.

Armes & Amunition at Matapenny bought by the R^t hono^ble The Lor defence of the Province. Muskets 315. Carbines 101. Blunderbus 1. Armes abroad for the Country Service in Charles County Muskets 50. Carbines 40. Jn Somerset County muskets 100. Jn Ann Arundell County muskets 50. Jn St Maryes County muskets 58. Carbines 30. Calvert County Carbines 6. muskets 40. Carbines in officers hands 6. Gunns 797. Powder at Matapenny 1750 in Calvert County 100 in Somerset County 200. Powder in all 2050. shot at Matapenny 6400 at the Gou^rno^rs 100 in Somerset County 600 in Calvert County 300 in all 7400. Spent since the Lord Proprietaryes going for England about 2000^ls of Powder & 6000^ls of shot & of his Lo^pps Gunns lost & Broken

M^r Richardson sent with egoing paps to the Comittee

Came the Surv^r Gen^rall with ion of Robert Willson of Somerset County who had beene R he had underwrit thus.

Upp howse of ctober the 31^th 1678.

The Lower howse are d of this petition it being the opinion of this howse that in Charity to be awarded some Reasonable Releif

Signed ohn Lewellyn Clke of the Assembly

This howse conceive them misunderstood by the upp howse in their last message Relating to the Country land thereby intending to signify their Just dissatisfaction of the ma m^t of the Trust of the sd land being denyed

p. 33 eof most contiguous to the state howse as that wee finde by an Act made Anno 1662 pable of purchaseing but oblidged to this howse conceive that an incapasity est future Assemblyes of the Right to have beene had in making over out w^ch they conceive no Title could urchasers, however this howse being upp howse, and to spend their time them at this time only request that the three or foure acres next adjoyning to the combrance for the pp use thereof, and Orphant of M^r Thomas Dent may not be- in wee conceive made firme by the Conditions of building.

Cap^t Ladd & M^r Garrat Sent with the sd message in writing to the upp howse. They Retorne

Came the Chancelo^r Secry & Surv^r Gen^rall from the upp howse & the Chancelo^r in a speech to this howse, in Relation

to the Country land at St Maryes, acquaintes this howse, that their is but eleaven acres of land taken up out of the whole 100 Acres, and that this howse may take up three or foure acres that is not already Surveyed in any pt of the Towne but if that wr so taken up be to lay to the State howse, upon the account of Ordinary therein, The Gour̃nor & upp howse will never consent the howse shalbe put to any other use then for Courts & assemblyes for that purpose & no other, was it they desired Chimneys to They Retorne. L. H. Journal Original.

Ordered th be sent to the upp howse to desire their concurrence in the amendmt Officers ffees as shalbe agreed on by both

The howse urnes whilst to morrow morning nine a clock

The 1st November

The howse called all prsent Except absent as before

Mr Stone & Coll Wells p. 34

for Officers ffees the

Mr Hall & Capt they Retorne.

Then did Consideracōn

& voted by the publique

leavy toward

An Act ovince for the

better security

Came M with this pap

1678.

This howse Motion of the

Lower howse called together at this

time, and wch given them in Charge

by the Governor in that the nonconcurrence

of this howse with some howse more Especially

in the bill for Electing Dele messages concerning

the Country land at the Citty cawsed such their slow

motion in the Cheif busines given them in Charge and being willing to remove all obstacles & to Encourage the Lower howse to proceed more Cheerefully & Dilligently in matters of greater importance This howse are willing to Resume their debate & to comply with the desire of the Lower howse in leaving out the word seated of the bill for electing Delegates &c And the Govrnor is also willing to gratefy the Lower howse with parting with one acre of land wch he hath adjoyning to the State howse, if the same may be serviceable or of any use to the Country. And as for the desire of the Lower howse in enlarging the Comissions of the County Courts

touching a Magazeene in Every County this howse doe Repeate that they h ower so to doe, without the con-

L. H. Journal Original.

sent of his Lo^{pp} but if they please request into a petition to his Lo^{pp} this howse will become Lo^{pp} in their behalfes all w^{ch} this howse hope may be accepted bers of the Lower howse & encourage them to proceed to consi grand affayres given them in Charge as aforesayd wherein so farre condescended, if this Sessions shall not end with that plawse and satisfaction as may be Expected & hoped for undoubtedly fall at the Doore of the Lower howse.

Lewellyn Clerke of the Assembly

Came the Surv^{r} Gen^{r}all & Majo^{r} Rozer from the upp howse with Cap^{t} Quigleys p ons w^{ch} were That

p. 35 the state howse for one & twenty yeares yearely to his Lo^{pp}
adjoyning to the State howse to him
a sufficient building for
as hath beene treated by the comittee
at his owne Charge.
R ds of the state howse saving the
be alwayes shut up from Comon
ole howse in good Repayre during the

folded up betweene the Seate of Justice

a lycense free of all Charge.

Th Roomes with Tables formes &c fit for an assembly or Juryes. Thi desires the concurrence of the upp howse to these Termes, they retorne their answere on the back thereof (vizt)

Upp howse of Assembly November the 1st 1678.

In answere to the within propositions of the Lower howse. This howse doe say that the Gou^{r}no^{r} is willing to pt with an acre of land w^{ch} he hath contiguous to the state howse according to the last message sent them pvided Quigley or any other pson will build thereon for the Service of the Country but as for leasing the state howse to Quigley according to the ppositions this howse doe like say that they thinke it highly dishonorable to convert that howse only for Administracon of Justice & holding of Gen^{r}all Assemblyes Ordinary or Taphowse. And they may please to Remember reason urged at first by the Members of the Lower howse Chimneys built to it, was becawse the same should not be Ordinary & therefore this howse hope they will better considder

John Lewellyn Clerke of the Assembly

An Act for R Ordinary Keeps. read & passed.

The howse ned whilst nine a clock to morrow morning November the 2d 16 L. H. Journal Original.

The howse called all prsent Except absent as before.

An Act for & Regulating the malitia of this Province for the better Security and defence p. 36

An Act for estiñ executing
of Ma
Capt Co lasse & Coll Wells
Sent to the dinary Keeps
The Act for They Retorne
An Act Delegates &
Repr̃sentative time & passed.
This how se sent yesterday
in relacõn to of Burgeses finde that
they are wors (given them in Charge)
by the Gour̃nor in Assembly in breach of the
priviledge of this ho of these words (given them
in charge) may be erased howse & more apt words
put in their place, and this how proceed to Joine with
the upp howse in the dispatch of the publique affayres of the Province.

Mr Carvile & Mr Rowsby sent with the said message & Act for Eleccõns to the upp howse They Retorne

Proposed by a Member.

That an act may be Drawne for the punishmt of such psons as shalby word or otherwise abuse the Members of Assemblys after the end of the Assembly for any acts by them done in the of their being members & sitting the Assembly. Referred to mittee.

Underneath the petition of ent Hill was thus written
Upp howse of As mber the 1st 1678.
This howse doe say that at the leavy mentioned in
the above petition, The Gour̃nor Cou ates then prsent
did thinke fit to allow no more then 9 seur̃all sheriffs
of this Province according to formr̃ custome, and ought
not to be allowed more then the rest of the sheriffs.

J ellyn Clerke of the Assembly

An Act for putting in Execucõn lawes agt Debawchery & Drunkennesse & pphaning the Sabboth day. comitted to the Comittee of Lawes.

Came from the upp howse wth this pap. p. 37
November the 2d 1678
to take at the words (given them in
wse. The members of this howse are
desire to contend or quarrell for
solely to serve his Loppe & the

L. H. Journal Original.

howse that if those words
them this howse will forbeare

llyn Clerke of the Assembly.
y morning ten a clock

4th Novemb

Except absent as before.

Capt Sybrey a member of this howse
by Thomas Wynn Sub-sheriff of this County
with a Errors in a Cawse betweene him & one Gunnell
wch was agt the priviledge of this howse.

It was voted that the same was agt the priviledge of this howse.

Mr Cheseldyne a member of this howse that was Attorney in the cause & Sued out the writ, humbly submits himself to the pleasure of the howse. the howse upon his submission Excuse him.

Came the Chancelor & Majo[r] Rozer from the upp howse wth these paps—

The Act Directing the manner of Eleccons, passd in the upp howse with the amendmts second time

Robert Wilso ition assented to by the upp howse

The Act Ordinary Keeps with this pap.

of Assembly Novemb 4th 1678.

1 Jnstead of the ūmes of Tobacco as shalbe from time to time agreed upon set & imp of the County Corts) mentioned in the Act for Regulating of This howse are of opinion that it ought to be punctually Exprsse the Countyes & 2000lbs Tob at the Citty of St Maryes to be pd Loppp by such as Keepe Ordinaryes.

2 and likewise this howse thinke fit that a fee of 20s to the Secry & 5s to his Clerke be inserted Act for Recording the Retorne of the bond lycenses &c.

3 Next that the words (not hereafter mentioned) be better sayd (not hereafter in this act mentioned.)

p. 38 4 Quere whether the oath
shalbe sufficient to

5 Unlesse the Moyety howse conceive
the Act of the Assembly

The A
Upp

The Act for nes for the better
Security & bers thereof are of
opinion th llowing Articles in
Relation to ke fit to passe the same (vizt)

1 Jnstead of were better to say (after

the 25th more certeine, & certeinty L. H. Journal Original.
is the mayne

2 Wee desire to have Company) to be Explayned & put in certeinty (vizt) to Armes or Amunition & not left to be Employed in Drink scandalous but unsafe.

3 Jnstead of these words (enlist no Number of men out of the foote of the sd County) it were better sayd (out of the Inhabitants of the sd County, according to such instructions as he shall from time to time receive from the Lord Propry &c or his or their Lt Genrall for the time being &c)

Jtem let the use of the Troope be Explayned as in the foote Company

Jtem instead of (actual hostillity) it ought to be sayd (in actual service)

4 By this clawse all the Collonells & many Capitaines are Exempted from trayning or service if they please most of being Justices of the peace.

5 By this Clawse if a Coll be sent th 100 men & no more, the Coll must serve without pay; Next their is set for a Coll or Major of horse as such and if a Major or Capt be sent ou lone by himself he may demaund his full pay.

6 wee desire to Know whether intend to oblidge the publique faith to pay whatsoever shalbe nece nded in defense of the Province in the Jntervall of Assemblyes se if that be not Exprssed it is left to the pleasure of Succ lyes to pay or not.

7 The time ought to be appointing presse masters yearly & Every yeare (vizt) betweene tember & the 25th of December

8 Quere if the Presse mas lame sick or gone out of the Country who shall prsse necessary Pro & who shall send warrants to the Presse Masters &c.

9 Quere whether the Plunder &c shalbe vided by the Poll or according to the quality.

& soldiers p. 39
Act in this Paragraph mentioned to provide
already done & therefore
upon a suddaine assault of a
shall refuse to appeare at the comand
of powdr & shot shoes stockings
of it.
tending to necessitate the calling

wellyn Clerke of the Assembly.

orrow morning nine a clock

L. H. Journal Original. Novemb

fore & Docto^{r} Stansby by leave.
Electing Delegates &c read the 3^{d} time
jo^{r} Rozer from the upp howse wth this pap (vizt)
ssembly November the 5th 1678.

This howse taking into consideracōn the time of the yeare, & the necessity of discharging of the publique faith together with the dangers threatning from our Enemyes, Desire the Lower howse to Expedite the bill for defence of the Province that wee may have no more blood to inquire after, and also the bill for defraying the publique debts that the publique faith be not broken & that wee may ꝓceed to a day of Sessions.

John Lewellyn Clerke of the Assembly

The Act for O Keeps read the 2^{d} time & passed.

The Act for of a Title of land in M^{rs} Mary Ward read the 3^{d} time & passed.

Upon petition, This howse concurre with the upp howse & desire that the will consent for the future that no sheriff may have above nine ꝓ Ce to Custome.

M^{r} Richard ffrisby sent with the Act for Ordinary Keeps & M^{rs} Mary Wards Act ills petition to the upp howse.

A ꝓposal of this howse

That no sheriff nor Remayne in their office any long^{r} then one yeare according to the England.

Voted that Drawne up accordingly & that the County Co^{rts} in March Co^{rt} nom ꝓsons & the Gou^{r}no^{r} out of them appointe one in the beginning of May every yeare.

Th Sent to the Comittee of Lawes.

p. 40 The Act for Ordina
An Act for p^{r}servacōn
An Act for Regula passed.
The said Adams
Rich^{d} Retorne
Came wth
M^{rs} Mary Ward
The Act for

Upp h

Upon Read the Malitia of this
Province for rderd that a message be sent
to the Lower howse have read the said bill
and doe thinke it short of desires a Conference with
the Lower howse about it to

Nin Assistant Clerke of the Assembly.

An Act for apointing sheriffs yearly. Read and Amended. L. H. Journal Original.
This howse are ready to attend the upp howse to morrow at twelve a clock in conferrence
Sent to the upp howse by Mr Stone & Mr Garrat who brought back Mr Clement Hills petition subscribed.
This howse are of opinion that the County Courts allow the sheriffs for the future tenne p cent for the publique leavy according to act of Assembly.
Nin Clerke assistant of the Assembly
This howse concurre with the howse in the above vote.
The howse Adjournes w morrow morning nine a clock.
November the 6th 1678.
The howse called abs
An Act for the due Record of this Province. Read.
Mr Speaker Coade Mr Cheseldyne Majo[r] Weekes & Mr Richard Hall age the conference with the upp howse.
Mr Wm Steevens urges sent to the upp howse to acquainte them this howse are re Conference They Retorne.
Voted that in the Co the Speaker & the rest of the Members of this howse for his assista free liberty of answering any ppositions as is made by the upp howse
Then came Majo[r] Rozer from the howse, and acquaintes this howse the
conference. p. 41
howse goe. They Retorne
questioned in this howse upon occasion of
his Comon from this howse in
both howses were to Joine to draw up
be Chayreman.
not by ord[r] of this howse, & whether
of the howse for what he did at the
the vote who should be Chayreman.
from this howse.
spoken any words in this howse at
any time reflect upon the hono[r] of the Gou[r]no[r]
or
never any thing in the hearing of this howse
Mr W howse for the Act about the Malitia, & brings it
The howse Adjournes whilst to morrow morning nine a clock.
The 7th of November 1678.
The howse called Present as before.
An Act for the due Recording of all the Lawes read the second time & passed.
An Act about Eleccons Read & passed this howse signed by the Clerke.

L. H. Journal Original.

An Act for sheriffs read the Second time

An Act Regulating Ordinary Keeps read & passed signed by the Clerke

An Act to redresse pr̃judiced by Erro^{rs} in Surveys &c read.

An Act for the s the p̃son of the Lord Proprietary, read the 2^{d} time & passed.

Came Coursey & Majo^{r} Rozer with this message the 7th 1678.

fforasmuch iderable time hath already beene Squandered & throwne away by this A fecting nothing of the greate busines for w^{ch} they were called together likelihood or probabillity of concluding any thing material in any considering the season of the yeare so farre spent J desire that pedition you would goe about to p̃fect the bills for Reviving the T of this Province, and for discharging the publique debts thereof J have Determined Monday next the Eleaventh instant shalbe the ssions.

Yo^{r} loving frend. Tho: Notley

To the Speaker of the Lower howse of Assembly to be Comunicated to all the Members of the sd howse.

p. 42 M^{r} Homewood & M^{r} R for due Recording the Lawes &c

Act for Ordina ord^{r} Propry also Edward

Ca thes petition

These may Councell employed to offic te ther paps relating to the publique w^{ch} said Employm^{t} he hath Re but as to his Itinerant Charges Consideracō̃ of the Lower howse not. Tho: Notley.

Ordered that thirteene moneths service and that his Expences hereafter he may have certeine wages & maintenance Bankes acc^{t} for fferryes & accomodacō̃ to the sayd Pa 07^{s} 06^{d} This howse humbly desire the Gou^{r}no^{r} that for the future he will comaund all p̃sons that Keep publique fferryes to set over Postes that are sent about the publique affayres of the Province gratis.

M^{r} Stone & M^{r} Peerce sent to the up̃p howse with the sd message, they retorne

Came Coll Coursey from the up̃p howse wth this pap.

Whereas the hono^{ble} the Chancelo^{r} did accomodate & Enterteyne Unarocasson Emperour of Nantecoake wth Ababco

Emperour of Tresquegue & Christopher Nutter Interpre L. H. Journal Original.
his owne howse for the space of three weekes or more during
all w^ch^ suffered & underwent a greate deale of Trouble &
inconvenience. The - howse is therefore desired to take
the same into their serious consideracõn ke of some
seasonable gratuity tõ be awarded to his hono^r^ such
him for his greate care & trouble therein Signed by ord^r^
Thomas Notley Esq L^t^ Gen^r^all.
llyn Clerke of the Assembly.
The howse lst nine a clock to morrow morning.
The 8^th^ November 1678
The howse called Present as before.
Voted that M^r^ Bankes his whole account Except
fferryes.
Came the Chancelo^r^ from the upp howse w^th^ this pap
Upp howse of Assembly Nov: 8^th^ 1678.
This howse concurre with the wi ote of the Lower howse
and will for
agreem^t^ with the Postes that the Country may p. 43
psons Keeping publique fferryes to
signed by ord^r^ John Lewellyn Clke of
the Assembly.
writing
8^th^ 1678.
this howse, this howse thinke it
serted into the Act where it is—
dently appeared by the continual
people that the long continuance of
the sd hath pmpted & Emboldened them to
abuse habitants of this Province & to Exact &
Ex rbitant ffees contrary to Act of Assembly
A iso be added to the latter end of the sd Act
in manner following alwayes that not this Act nor
any thing therein conteyned shalbe construed to Debarre or
hinder his Lo^pp^ the Lord Propry his heires or successo^rs^ or his
or their L^t^ Gen^r^all or Cheif Gou^r^no^r^ for the time being, during
the Continuance of this Act to constitute & apointe what pson
he or they shall thinke fit to officiate as sheriff in Charles
County, and that it shall & may be lawfull for his Lo^pp^ the
Lord Propry his heires or successo^rs^ or his or their L^t^ or Cheif
Gou^r^no^r^ for the time being to continue any sheriff or sheriffs
within this Province in his office a long^r^ time then the space
of one yeare pvided no Just complaynts sheriff or
sheriffs be made in open Co^rt^ to the Justices of such County
they officiate & by such Justices transmitted to the
L^t^ Gen^r^all or G no^r^ for the time being, any thing in this Act
to the contrary notwithstanding
John Lewellyn Clerke of the Assembly

L. H. Journal Original. Voted that the to the within proposall of the amendm^t of the within act of but as to the two ꝑposalls in the latter ꝑt of the sd Act, that instead thereof these words be incerted (vizt). Provided that continued longer then one yeare in his office of shreivaldry for Every yeare after the sayd first yeare he or they ꝑcure from tive County Courts Certifficate of his or their Just Execucō of their office the p^rceding yeare & that they Know no Just occasion for their removall and that to make any other saving for

p. 44 Charles County will

M^r ffrisby in writing

Came Coll sheriffs

Upp

This howse are howse & consent to have the bill

the Assembly

nine a clock

The

Novemb the 9^th 1678

An Act & passed.

This howse upp howse Entituled (an act for the p^rservacōn of the Right hono^ble the Lord Propry &c) this how the same with these alteracons vizt at this &c instead thereof to be sayd (with the paynes of oral punishm^t or confiscation of goods & Chattles or any one of those as the Justices of the Provincial Court shall upon Mature Deliberation thinke fit) also at this second + Rebellious—mutinous or seditious wee conceive the words Rebellious sufficient. also at this third + instead of six moneths it shalbe sayd (not Exceeding three moneths) also at this 4^th + instead of within six moneths after such ꝑsecucōn it shalbe sayd (and indicted thereupon at the next Provincial Court after such ꝑsecucōn) & then the Proviso for freedome of ech as in the bill Drawne by this howse being the same mutatis mutandis with made the 13^th of his Ma^ty that now is.

The Act for Regulating the Ma Read & passed

These three Acts last mentioned Se upp howse by the comittee of acc^ts

They Retorne.

Upon Cap^t Quigleys peticion he pave the ffloore of the state howse with Purbeck Paving stone halfe thick, and that he have his 20000^lbs Tob: in this pub bond for 30^lbs to the Lord Propry it by the 25^th day of March and when that is ꝑformed Quigley hath ꝑformed his bargain

Mr Woolman & sent to the upp howse with Quigleys Petition & the vote of this howse They Retorne. L. H. Journal Original.

Came the Chancelor & Coll Coursey from the upp howse with this pap vizt

Assembly Novemb the 9th 1678. p. 45

ffe the bill Entituled (an act for the prserva
Rt honoble the Lord Propry &c) as the same
will also give their assent for that
articuler.

John Lewellyn Clerke of the Assembly.

Regulating the Malitia &c and the
the Governor & upp howse would
be instead of a moneths Jmprisonmt
tion of the Justices of the Provincial

pp howse with the Malitia bill to
desire would have, in writing. they Retorne.
om the upp howse with this pap (vizt)
ssembly Nov: 9th 1678.

Jn the 8th of where its sayd (obstinate refusall or disobedience—pved, he shalbe fined 500l Tob, & suffer Jmprisonmt for any time under a whole moneth) The upp howse doe say that pvided the bill drawne for the Regulating the Malitia be altered in that pointe, & the fine & Jmprisonmt be left absolutely to the Discretion of the Justices of the Provincial Court, This howse will passe the said bill otherwise doe desire the Lower howse not to trouble the upp howse with it any more.

John Lewellyn Clerke of the Assembly

Came Coll from the upp howse with Mr Blands & Capt Quigleys petition subs

Up of Assembly Nov. 9th 1678:

This howse con the Lower howse in the above vote & desire the Lower howse to the said Quigley to the Lord Propry in as obligatory Ter can for his due pformance, & that when they have so done they the same to his honor the Gournor for his Loppps use

Lewellyn Clerke of the Assembly.

Bond taken according to the Gournor

Upp h Assembly Nov: 9th 1678.

Their being no certein ance by act of Assembly made for a Secry to an Army who is an officer absolutely necessary for a genrall, being willing to give all En enture p. 46. themselves in the, C the petr is not sufficien to take the Same into the to be made him by the Comitte the Assembly

L. H. Journal Original.

This howse u
The A wse & passed &
Seu ms.
Came s^d Act assented to.

An Act in of Tobacco seized
& Recd by
An Act for p Province read & passed.
M^r Stone & Cap^t H with the sayd two acts
They Reto
Came the Secry with

Upp howse of Assembly Novemb 9^th 1678.

Their being three convicted psons brought downe to the Provincial Co^rt in the yeare 1676 & comitted into the Custody of M^r Clement Hill then highe-Sheriff of St Maryes County, who mainteined them for Some considerable time at his owne pp costs and Charges at the Citty of St Maryes and afterwards carryed them up to his owne howse from whence they broke prison & Escaped.

This howse are of opinio the sd Hill be considered of by the Comittee of acc^ts & allowed a onable Satisfaction for the same

Lewellyn Clerke of the Assembly

This howse concurre with wse in the above vote

Upp howse of November the 9^th 1678.

Whereas Diverse of of the Lower howse of Assembly fell Soddainely sick last Eating a Duck Py, & whereas Edward Husbands Chirurgion in prison upon Suspition of having put Some poyson or unwho Drugg into the sayd Py.

This howse desire howse to Examine the sayd Husbands and his case and to deale with him according to the merrits of his cawse.

John Lewellyn Clerke of the Assembly.

p. 47 p howse with the Act for publishing the
that he will have the Lawes ready to deliver
not engage to deliver them by that time.
from the upp howse about stealing—
se.
the Law for p^rservacōn of Orphants
mended in Seu^rall pticulers, but the
being very weighty requiring more
on it, They conceive it necessary that
pbate of wills & graunting Admcōns
Law & p^rpare a new Law according to
the co at the next Gen^rall Assembly.

lomfeild Clke of the Comittee of Lawes L. H. Journal Original.
Nov: 9th 167
honor the Chancelor to prpare such a Law
according Comittee.
nt to the upp howse by Coll Wells. he Retornes
An Act for taking áway the oath of Exrs & Admrs Read once.

Came the Secry with the Comittees vote about the Act for Orphants estates.
underwrit thus.
Upp howse of Assembly November the 9th 1678.
This howse concurre with the desire of the Lower howse nemine contradicente
John Lewellyn Clerke of the Assembly.

An Act for Re the Malitia read & passed to Jngrosemt
This howse to the Gourno^r by Docto^r Stansby to desire his hono^r that Docto^r Edwar nds may be secured against Munday Morning next.
h brings answere that his hono^r the Gourno^r will him to be secured
The howse hilst Munday morning nine a clock.
Nov: 11th 1678.
The howse called as before
An Act imposing a p all such who shall dispose Tob &c passed
An Act for sheriffs &
An Act for taking ac oath for Exrs & Admrs read the Second time & passed.
Came the Chancelor Secry & Surv^r Gen^rall from the upp howse with Joshua Guiberts petiti derwrit thus.
Upp howse of Asse p. 48
This howse doth ass howse
are desired to d
ke of the Assembly
This howse vote.
Also th wse wilbe ready
for a day of
This ho hono^ble Gourno^r & upp
howse to eady for a day of
Sessions on
Cam ^rall with the act for
taking away the orsed thus.
Read in this howse wse cannot passe
the Same.

L. H. Journal Original.

Clerke of the Assembly

They also acquainte this howse that the Gou^rno^r & upp howse apointes Thursday morning 10 a clock for the day of Sessions of this Assembly.

This howse taking into their consideracon the Excessive Rates of the Seu^rall liquo^rs had of the Ordinary Keeps for w^ch they are to be payd out of the publique leavy this p^rsent yeare, they thinke fit that they be allowed as followeth. fiall wine 60^l Tob: p gall Burnd' Rum 100^l Tob. p gall Clarret 100^l Tob: p Beare 20^l Tob: p gall Passada 100^l Tob: p gall Madera wine 8 gall. Rum 80^l Tob: p gall Brandy 120^l Tob: p gall & no e & desire the upp howse to concurre with this howse in this vote.

Coll Wells & sent with the sd message & brought answere that the upp h ly concurre with this howse in the sayd vote.

This howse con Amerciam^ts ought to satisfy the Provincial Court Expences so f will Extend & are willing that the Rem^r be Rated upon the p

M^r Hatton & ewood Sent to the upp howse with the sd message in writing. They Retorne.

p. 49 late Expedition ag^t the Nantecoake Jndians be

Province 6941.
ting viz^t
1678.
the Lower howse this howse doe say
eene so small & usually assessed upon
have for that Reason beene from
have scarcely beene enough
Clerke of the Councell for officiating
in the But this howse doe further say
that if Gou^rno^r & Councell hitherto may be borne
by acc^t kept for the future of all the
am with the Lower howse in the Remaind^r
of the above vote.

John Lewellyn Clerke of the Assembly.

M^r Steevens M^r Hatton M^r Stone M^r Adams Cap^t Henly & M^r Peerce sent to the upp howse with the Malitia Act. They Retorne.

Came the Chancelo^r & Surv^r Gen^r all from the upp howse with the Act for Regulating the Malitia &c assented to. They also brought this pap.

Upp howse of Assembly Nov: 11^th 1678.

Whereas this howse he begining of the Assembly did transmit to the Lower howse diverse pa ating to

the discovery of the murderers of the English at the head of L. H. Journal Original.
nt by w^ch^ this howse were satisfyed that the murderers were some of neighbo^r^ Jndians, & whereas the Articles with our sayd Neighbo^rs^ sta rmed by Act of Assembly wee desire to Know what the opinion of howse is in this Pointe (viz^t^) whether they doe beleeve them rderers or not, wee desire to Know what the Lower howse of ll ppound to us as fit to be done in this conjuncture of affayres.

John Lewellyn Clerke of the Assembly.

The howse whilst to morrow morning nine a clock.
November the 12^th^ 1678
The howse ent as before.
Joshua Guiberts Act of Naturalization read three times & & passed.
Sent to the howse by Docto^r^ Stansby & M^r^ Hatton
The howse proceed to the E p. 50
M^r^ Rousby and M^r^
heard of any furth
The
Came the Chanc ole Jndian busines
M^r^ Rousby were to the upp
howses message
An Act for & passed
An Act for
unty was thus written (v

Upp h
Provided i to elect one two or —
more Delegates the number of foure to serve
for their County in are of opinion that it may be
convenient for the Jsla ty and that the Rest of the
sayd County be included into or erected into a New
County of its self.

Jo ellyn Clerke of the Assembly.

Came M^r^ Rowsby & M^r^ Carvile with this pap to be Sent to the upp howse.

The Lower howse having considered the message of the upp howse touching the psons murdered at the head of Patuxent in answere thereunto say That by the paps Sent & Relations given to this howse concerning the same from the upp howse This howse doe beleeve that in all pbabillity the sayd Murthers were comitted by o^r^ Neighbo^r^ Jndians, but cannot ssitively conclude by w^ch^ of those Neighbo^r^ Jndians the same was done. thelesse if the Gou^r^no^r^ & Councell be fully satisfyed that the articles mention sd message

L. H. Journal Original. be broken by any Jndians whatsoever compr̃hended within This howse doth declare that they doe not conceive the hands of the Lo or his Lt Genrall any wayes bound up by the law mentioned in sage for confirmacõn of the said Articles if it had beene duly penn not but wa the essentiall pt of an Act) But that his honor ry or his Lt genrall for the time being may when Just cawse ce warre agt any Jndians in such manner as they shall think de of. And further this howse doth declare that at all times d Propry or his Lt Genrall & Councell for the time being shall finde to commence a warre agt any Jndians—This howse and Every ereof wilbe most ready & willing to give all due assistance thereunto.

p. 51 Burges Coll Dowglasse Major Weekes & Mr they Retorne & brought a Deposition of sbands & the Duck Py. Endorsed thus Nov 12th 1678 and are of opinion that the same may Husbands doe therefore Retorne the same to pceed upon the whole evidence

Clerke of the Assembly.

County to the honoble the Gournor and aine as it now is, with this addition of the guard of the Smalnes of the County wi by the act for Eleccõns this Sessions past bo ty is to send foure Delegates. This howse doe humbly desire his howse to graunt the sd petition according to the prayer thereof and that the Court howse may Remaine as it now is.

Major Weekes & Mr Hosier sent to the upp howse with the sd message

They Retorne.

An Act for Registring Births marriages &c read & passed

An Act for punnishing Prophaners of the Sabboth &c read & passed

An Act for Regula Clerkes ffees: read & passed.

The h cts Sent to the upp howse by Capt Marsh & Mr ier. They Retorne.

Voted that of this prsent Assembly be payd by the publique in genrall by the pticuler countyes.

The ho urned whilst to morrow morning nine a clock Nov: 1678.

The howse c as before.

Came the Secry, Maj & the Survr Genrall, & retornes that that howse is well satisf message of this howse in

Relation to the Jndian busines. also Kent County petition Endorsed L. H. Journal Original.

Upp ovember the 12th 1678.

This howse concurre with the desire of the Lower howse abovewritten and are willing that th ty of Kent may Remaine as now it is and that the former order of this howse p. 52 to a for

Same, may be & is her

This howse do howse &

doe desire the conc

Mr Hall p howse with the

sayd message.

Then did ur̃nor̃ to have

lycense to imp ince, the sd Mare

being his ow inclinable to grant

the sd Harps thereunto.

This ho

Sent to the & Mr John Steevens.

Came Major̃ Rozer from (vizt)

This howse concurre with the Lo to his honor̃ the Chancelor abovementioned.

wellyn Clerke of the Assembly.

This howse having taken into their Consideracō̃n the greate Trouble & Charge the honoble the Gour̃nor̃ is at in Coming to St Maryes about the Country busines are desirous as a Token of their love Respect and Esteeme for his honor̃ to pr̃sent him wth somewhat that might be acceptable to his honor̃ but wthall considering the Poverty of the Country, & the greate Charge this yeare, This howse thinke that to pr̃sent his honor̃ with any thing worth his acceptance the Country is not able now it, but in the meane time while the Country is in a better condition, wse humbly desire his honor̃ to accept of 20000lt of Tob: out of the pu leavy this pr̃sent yeare, and desire the concurrence of the upp how vote.

Seht to the Comittee concurrence. They agree to it.

Mr Woolman Capt Mar eekes Mr s Mr Hatton & Capt Ladd Sent to the Go sd message in writing

Th

Mr Homewood Mr Mr Richardson & Mr Rd Hall Sent to the upper howse with Parliamt touching intestates Estates & the Act about Exrs and passed &c & to desire the upp howse to considder thereof, & to Retorne their answere to this howse. They Retorne.

Humbly offered by Member That consideracō̃n be had of all account for clearing & Cleaning of Armes p. 53

L. H. Journal Original.

ught in only Charged in the whole at fift
if it were for the armes of the County,
my Lords Armes, Jt is humbly conceived that
County ought likewise to beare it (or his
to be considered what effect such an
esident for the future now wee have a

to President for the future as to the

er & Examining the publique account
doe ring in very greate Sumes for the
Expen other messengrs & meane psons Employd
wse have allowed wt they have thought fit for
this the honoble the Gournor & upp howse that such pson
may have a allary for the future, & mainteine themselves,
and that none of their Expences wtsoever may be allowed by
the publique hereafter

Sent to the upp howse by Mr Scot & Mr Peerce they retorne.

Came the Chancelor Survr Genrall Coll Coursey & Major Rozer with the Act for Admcons without oath, and the Act of Parliamt about intestates estates and declare to this howse that the upp howse will not assent to the Administring without oath. They Retorne.

Came C ursey & Major Rozer with this pap.

Gentlemen. de prsent of 20000l of Tob: is most acceptable wth me and that in rd it came unlooked for, and since J am apt to beleeve it came from ordially, and out of a true Respect unto my pson, J shall put a llue upon the guift then its intrinsical vallew eth, the have done had the prsent beene smaller being derived from the of yor love. My humble thankes J pray let be Recorded in yor J shall ever love & serve you to my power.

To the honoble Mr Speaker Yor Reall frend and Servant
Lower howse to be comunic Thomas Notley.
whole howse Novemb 1

Upp howse November the 13th 1678.

This howse readily concurre with the Lower howse in the
p. 54 prsent to his h The Governor above mentio

Came

Upp ho
This howse are
above specefyed
be such course
as shall give no

L. H. Journal Original.

come shalbe so
themselves

n Clerke of the Assembly

This howse racõn the malitious attempt of poysoning se supposed to be Comitted by Edward Husbands, and so strong though not Positive proofe Enough ab ands to be the acts, This howse vote that he be bound next Provincial Court to answere the p[r]mises and in the meane time to be of good behaviour. and he being a ꝑson that hath given such cawse of suspition of his attempting to poyson the Gou[r]no[r] upꝑ & lower howses of this Present assembly. This howse desire that he may be disabled forever hereafter to practise in this Province as a Chirurgion or Docto[r]

And further for the Crime of his menacing & cursing this Assembly this howse doe conceive that h ght to aske forgivenes upon his Knees of both howses of this p[r]sent mbly, and in case of his Refusall to doe the same that he be whipped fo the bare back.

This howse also desire the co ence of the upꝑ howse in this vote.

Majo[r] Weekes M[r] Hosier Cap[t] Cap[t] Marsh sent to the upp howse with the sayd Vote g. They Retorne.

Whereas the Country hath p ll quantity Provision this p[r]sent yeare in the Publique le to have bee Expended in the Expedition ag[t] the Jnd ecoake River, w[ch] was never made use of nor retorned home to the Gen[r]alls ord[r] And for that this Assembly cannot now in whose hands the same Remaines doe thinke fit that the Justi Respective County Courts of Kent Talbot Dorchester & Somerset do inquiry into the p[r]mises and doe cawse the sheriff to leavy the vallue of the same that they shall finde in the hands

County towards the p. 55
account thereof next Publique leavy &
urre with this howse in this vote.
whilst to morrow morning eight aclock

fore
ꝑ howse with the vote of this howse
se of. They Retorne.
acõn the Act of Assembly for
the Provincial Court by their ord[r] of
addition of ffees to the sheriff
the bly at their time of making the sd law
in thereof. And this howse humbly desire his
hou wse to ord[r] the Justices of the Provincial Court

L. H. Journal Original. to Revoake and to ꝓceed according to the sd Act for sheriffs ffees. That the sheriff for serving a Spa may not have more then 10^{l} Tob. and for a scire fac 35, and for attendance upon a prisoner if not full 24 howres (as is mentioned in the sd Act) nothing at all, and for the Retorne of a Non est inventus nothing & for serving a Citacō 25^{l} Tob & no more, as is mentioned in his hono^{r} the Gou^{r}no^{rs} ꝓclamacōn.

M^{r} Hill & Cap^{t} Marsh Sent to the upp howse wth the sd message.

Whereas this how ve found by Experience that seu^{r}all Gunns Armes Provisions ho idles saddles and other things that have beene from time to time for the service of the Country, w^{ch} hath beene at the next publiq continually payd for, & allowed to the ꝓticuler owners thereof, and Sayd Provisions horses &c have & still doe Remaine eise p hands, & the Country never the better for them to the greate dam of the Country in gen^{r}all for the p^{r}vention of the like for the howse humbly desire the hono^{ble} the Gou^{r}no^{r} & Councell to issue lamacōn to comannd all ꝓsons w^{t}soever und^{r} such penaltys hono^{r} & Councell shall thinke fit that have any thing that ha prest for the publique use Remaining in their hands that they make the same Knowne to the next County Court p. 56 that so the Justices of the same
of the publique
not already
Majo^{r}

Came Ma
Up
This howse
in the latte
cursing the this howse are of
opinion for so notorious a crime
and therefore ered that the sd Husbands
be whipped on the ba the rest of the vote this
howse concurre, & desire aw a bill accordingly
wellyn Clerke of the Assembly.

This howse concurre with the upp howse in the sd vote & M^{r} Hill M^{r} Walter Hall & M^{r} Willm Steevens apointed a Comittee to draw up a bill of Attaind^{r} ag^{t} the sd Husbands.

An Act for appeales & Regulating writs of Erro^{r} passed

An Act for the better Administracōn of Justice in the County Courts passed

M^{r} Hosier & M^{r} Edmondso t to the upp howse wth the sd two acts— They Retorne & this pap.

On the back of the vote of the about Prest goods to be inquired into by the Justices of the County was thus written (vizt) L. H. Journal Original.

Nov: 14th 1678.

Upp howse concurre with howse in the vote above.

wellyn Cl of the Assembly.

Came Major the upp howse wth these paps vizt

Upp how mb 14th 1678.

The Gournor & Counce cawse pclamacon to issue forth accordingly as is Desi Lower howse

John Lewellyn Clerke of the Assembly

Acts made att a Generall Assembly held att the Citty of St Maryes the twentieth day of October in the third yeare of the Dominion of Charles & Annoq Domini one thousand six hundred seventy Eight Liber W. H. & L., p. 131

The Honble Thomas Notley Esqr Gouernour.

An Act for keepeing holy the Lords day p. 132

Forasmuch as there is nothing more acceptable to almighty God then the true and Sincere Service & worship of him according to his holy will & fforasmuch as the Sanctifying or keepeing Holy of the Lords day comonly called Sunday is and hath been esteemed by the present & all primitive Christian Churches & people a principall and cheife part of the said Worship, which day in most places in this Province hath been & still is profaned and neglected by a wicked and disorderly sort of people by working Drunkeness swearing gameing vnlawfull pastimes and other Debaucheries to the high dishonnor of almighty God the Scandall of Christian Religion & the apparent detriment & Ruine of many of the Inhabitants of this Province for Remedy whereof for the future Bee it Enacted by the Right Honble the Lord Propry by and with the Consent of the upper and lower houses of this present Generall Assembly & the Authority of the same that from and after twenty dayes next after the end of this session of Assembly noe person or persons within this Province shall worke or doe any bodily labour or occupacon vppon any Lords day comonly Called Sunday nor shall Comand or willfully Suffer or permitt of his or their Children hired servants servants or slaues to worke or labour as aforesaid (the absolute workes of necessity and mercy alwayes Excepted) And for that through the wicked and profane licenciousness of severall persons inhabiting or travelling into this Province itt hath been Customary for such sort of persons to Spend the said day in the bodily Exercise or occupacon of fishing Bee itt likewise Enacted by the Authority aforesaid

Liber W. H. & L. that noe person or persons whatsoever Inhabitant or Forraigner shall from & after the time aforesaid vppon any Lords day as aforesaid presume to take fish in any Bay Port or Creeke of or belonging to this Province with any Netts Tramells saines Hookes or Lines or any other instruments of fishing nor shall Comand willfully Suffer or permitt any of his or their Children hired servants servants or Slaves soe to fish as aforesaid And bee itt likewise Enacted by the Authority aforesaid That noe person or persons from & after the time aforesaid shall profane or abuse the said Lords day as aforesaid by Drunkeness Swearing gameing at Cards Dice Billiards Shuffell boards bowles Nynepins horserace fowling or hunting or any other vnlawfull Sportes or recreations And if any person or persons within this Province from & after the end of the said twenty dayes shall offend in all or any the premisses he shall forfeit and pay for every offence one hundred pounds of Tobacco the said offences or any of them being done in view of any Iustice of peace Majestrate or other head officer of any County Citty or Towne Corporate within their limitts Respec-
p. 133 tively or being proved vppon Oath by two or more wittnesses or by the Confession of the person offending before any such Iustice Magistrate or head officer within their severall limitts respectively wherein such offence shall be Comitted to which end every such Iustice Majestrate or head officer shall haue power by this Act to administer an oath to such wittnes or wittnesses, any which Sume or Sumes of Tobacco Soe forfeited as aforesaid shall & may be Executed and Leavyed by the Sherriffe vndersherriff or Constable by Warrant to any one of them directed from any such Justice or Justices of the Peace Majestrate or other head officers as aforesaid within their severall limitts where all or any the offences aforesaid shall be Comitted or done by distress & Sale of the offenders goods rendring the party the Overplus or shall be Recovered by any person or persons that will sue for the same by bill plaint or Informacon in any of his Lordships Courts of Record in this Prouince all which forfeits shall be imployed to and for the vse of the poore of the County Cittyes or Burroughes where such offences shall be Comitted of which the said Iustices Majestrates head officers Sherriffes vndersherriffes or Constables shall Render an accompt att the next Court to be houlden for their Respective Countyes Cittyes or Burroughes and in default of such distress the Sherriffe vndersherriffe or Constable are hereby Authorized and impowred to bring the party offending before the next Iustice of Peace who is hereby required and Authorized to bind him over to the next Court to be houlden for the County Citty or Burrough Respectively and to be (dureing the intervall) of good behauiour.

Bee itt likewise Enacted by the Authority aforesaid that noe Ordinary Keeper nor any other Master or Mistriss of a family from and after the time aforesaid either directly or indirectly by any Colour or pretence whatsoever (vnlesse in case of absolute Necessity) shall or may vppon the Lords day as aforesaid sell any strong liquor whatsoever to any person whatsoever or knowingly or wittingly Suffer or permitt in or about his or their house or houses any tipling Drunkeness or gameing as aforesaid being Convicted thereof by two sufficient Wittnesses vnder the Penalty of two thousand pounds of Tobacco the one halfe to the Lord Proprietary the other halfe to him or them that shall sue for the same by bill plaint or Informacōn And if an ordinary keeper to loose his Lycence— Liber W. H. & L.

Provided the Lords day aforesaid cōmonly called Sunday be and is hereby Judged and deemed to be and begin according to primitive and Christian vsage from twelve of the Clock on Saturday night to twelve of the Clock att night ensueing.

Bee itt likewise Enacted by the Authority aforesaid that An Act made Anno 1674 entituled an act against the Profaneing the Sabbath day be and is hereby vtterly Repealed and made voyd—

An Act for the Ordering & regulateing the Militia of this Prouince & for the better Security and defence thereof— p. 134

Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by & with the aduice and Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same that from & after the end of the Sessions of this present Generall Assembly The Militia of this Prouince shall be mustered trayned and Exercised according to these instruccōns and directions following

First That every Collonell Major or Captaine of foote already Comissionated or hereafter to be Comissionated by his Lordshipp his heirs or successors Lords and Proprietaryes of this Province or his or their Leivtenant or Cheife Gouernour of this Province for the tyme being shall haue power to inlist such and soe many men inhabiting within this Province not hereafter Excepted in their Severall and Respective divisions between sixteen and sixty yeares of age as they shall thinke fitt by as equall Proportion of the said Inhabitants as possibly they can to be of the Militia or trayned bands of this Province Which said persons soe inlisted they shall muster Exercise & traine upp att such places & att such certain times as to them shall seeme meete or the service safety and defence of this Province shall require or his Lordshipp the Lord Proprietary of this Prouince his heires or successors or his or their Leivten-

Liber W. H. & L. ant Generall or Cheife Governour or Leivtenant Generall or Cheif Gouernour And Councill for the time being shall see Cause to order

2dly That every such Collonell Major or Captaine shall give notice or Summons uppon every Trayneing or Mustering to every person soe Inlisted as aforesaid within his Respective Division or Limitts att the head of his Company or att the house of the party by an officer of his Company or a Warrant vnder his hand to appear att such time and place as he shall appoint for such Trayning and Mustering And that if any man after such notice or sum̄ons given as aforesaid shall neglect or Refuse to appear att the time and place appointed as aforesaid or that shall Refuse when he hath soe appeared be inlisted into the Militia or Trayned Bands as aforesaid, or that being soe inlisted shall not from time to time as he shall be sumoned or warned as aforesaid appeare and bring with him one good serviceable fixed Gunn and six shoots of Powder shall for every such offence if a ffreeman forfeit and pay the sum̄e of one hundred pounds of Tobacco to the Lord Proprietary & if a servant letted or hindered by his master Mistris or Overseer Then such Master Mistris or Overseer to forfeit and pay the like sum̄e of one hundred pounds of Tobacco for every such
p. 135 servant for the use of the foote Company to Purchase Drumm and Colours and other Necessaryes for the Company as the Com̄ander shall think fitt where such default is made Provided that this Clause be not to Countenance any officer or officers to presse Armes or Amunition for any further Expedition or service than Trayning but that vppon all such occasions they be supplyed out of the County Magazine or Store. All which forfeiture and forfeitures shall by such Collonell Major or Captain be Certifyed to the Comissioners of the County Court for such County att the Court then next ensueing who are hereby Authorized Upon such Certificate (noe Sufficient Excuse appearing to them) to award Execucōn against the goods & Chattles of such person soe Refuseing neglecting or failing as aforesaid and that uppon Occasion of all such Execucōns all & every County Clerke & Sherriff within this Province respectively shall doe what pertaineth to their offices without any fee or Reward

And for that the Inhabitants of this Province are many of them unprovided of fixed Gunns and that they may haue tyme to provide themselves with Armes & Amunicōn for Trayning according to this Act and not be surprized Bee itt Enacted and ordeined by the Authority aforesaid by and with the Consent and aduice aforesaid That any of the said fines by vertue of this Act sett or imposed uppon any person or persons for default of appearing att Musterings and Traynings as afore-

said the Levying thereof shall be respited for eighteene moneths to be Computed from the end of this sessions of assembly And any person or persons that shall be soe fined as aforesaid that within the said terme of Eighteene moneths shall appeare in the feild with Armes and Amunicõn as aforesaid being his own propper goods all those fines that haue been putt uppon him & soe Respited as aforesaid shall never hereafter be Leavyed but Expunged out of the Roll and list of fines and any person or persons that shall be soe fined as aforesaid that within the said Terme of Eighteene moneths shall not be provided with Armes & Amunition of his owne propper goods as aforesaid all those fines that haue been putt uppon him & soe respited as aforesaid shall be forthwith Levyed to the vses aforesaid Liber W. H. & L.

3dly ffor the Settlement of the Horse forces that each Captain of Horse in each respective County shall for the makeing upp his Troope Elect and inlist his number of men out of the Inhabitants of the said County according to such instruccõns as he shall from time to tyme Receive from the Lord Proprietary his heires and Successors or his or their Leivtenant for the tyme being Provided allwayes that such Troopers shall ride their owne horses and that noe person shall be a Trooper without he be owner of a good serviceable horse which shall passe muster And That such Troopers in Consideracõn of their great pay hereafter to be allowed be bound and obliged to find themselues with good able and Sufficient ffurniture for their Horses and likewise to find themselues with sword Carbine Pistolls Holsters & Amunition And if any Trooper shall neglect or Refuse uppon notice given to them in manner as aforesaid to the foote to appear att Musters att the tyme and place appointed by each Respective Captain of horse accoutred and Equiped as aforesaid shall forfeit and pay the summe of one hundred pounds of Tobacco to the Lord Proprietary to be Levyed in manner as aforesaid for the vse of the Troop for Trumpett & Colours & other necessaryes as the Comander shall thinke fitt And that such Troopers for and in Consideracõn aforesaid att all such tymes as they are out a ranging shall find their owne Provisions Butt when Ioyned with the foote in actuall service then to be found Provisions att the Charge of this Province to be paid by the Publick And if itt shall happen That any Troopers horse be killed in the service then the said Trooper to be paid for the said horse by the Publick and not otherwise— p. 136

4thly That all Preists Delegates Magistrates & Constables shall in their propper persons be Exempted from being Compelled to Trayning or any Millitary service either in Horse or foote in the field dureing such Terme as they officiate or bear such

Liber W. H. & L. office as aforesaid Provided That This Clause shall not Extend to such persons as already haue or shall hereafter accept of Comissions for millitary Service from his Lordship the Lord Proprietary or his Leivtenant Generall for the tyme being soe as to discharge such persons from their Respective Charges mentioned in such their severall & Respective Comissions, And Bee itt Enacted by the Authority aforesaid That all negroes and Slaues whatsoever shall be Exempted the duty of Trayning or any other Millitary service—

5thly That the pay for the officers and Soldiers of the foote & Horse aforesaid be noe other than is hereafter mentioned and for noe longer time then such officers and Soldiers shall be in actuall Service (to witt) To every Major Generall being Cheife Comander in the field Three thousand pounds of Tobacco p moneth to Every Collonell of foote two thousand pounds of Tobacco p moneth To a Major of foote twelue hundred pounds of Tobacco p moneth To a Captaine of foote one thousand pounds of Tobacco p moneth To a Leivt of foote Seven hundred pounds of Tobacco p moneth To an Ensigne Six hundred pounds of Tobacco p moneth To a Sergeant four hundred pounds of Tobacco p moneth To a Corporall four hundred pounds of Tobacco p moneth To a Drummer four hundred pounds of Tobacco p moneth and to every private Soldier three hundred pounds of Tobacco p moneth & That every Collonell of horse haue Three and twenty hundred pounds of Tobacco p moneth & that a Major of horse haue fifteene hundred pounds of Tobacco p moneth & a Captain of horse be allowed thirteen hundred pounds of Tobacco p moneth to a Lievtenant of horse one thousand pounds of Tobacco p moneth To a Cornett Nyne hundred pounds of Tobacco p moneth To a quartermaster & Corporall each seven hundred pounds of Tobacco p moneth to a trumpetter seven hundred pounds of Tobacco p moneth & to every private Trooper six hundred pounds of Tobacco p moneth & that all those Rates and allowances for such officers & Soldiers aforesaid shall be
p. 137 allowed & paid & no more And that the moneths before mentioned be accompted Computed and Reckoned according to the Kalender & no otherwise—

6thly And to the intent that whensoever itt shall appear to the Lord Proprietary or his Leivtenant Generall or Cheife Gouernour or his said Leivtenant Generall or Cheife Gouernour & Councell to be necessary to raise forces for the suppressing of any Forraigne invasion or Domestick insurrection or Rebellion or any warr with any Indians That the said officers and Soldiers may be duely paid according to the proporcons aforesaid & all other Necessary Charges & Expences for the Charge and Manageing such Warr may be duely paid

and discharged without which this Provinc Cannot be defended & Secured Bee itt Enacted by the Right Hon^ble^ the Lord Propr^ry^ by and with the aduice and Consent of the upper and lower houses of this present Generall Assembly & the Authority of the same That from henceforth all such Necessary Charges of such warr and Soldiers Pay as aforesaid shall be paid discharged and defrayed by a Publick Leavy by an equall Assessment vppon the Taxables of this Province by the Consent of the freemen of this Province by their representatives & in a Generall Assembly and noe otherwayes whatsoever according to the Clause in An Act entituled An Act of gratitude to his Excellency Charles Calvert Esq^r^ Captaine Generall of Maryland Liber W. H. & L.

7^thly^ And to the end that the Inhabitants of this Province may not be abused by haveing their goods and Provisions prest from them by loose & idle fellows who many times abuse their Comissions and the people Be itt Enacted by the Authority aforesaid That from henceforth the Comissioners of each Respective County within this Province shall yearely and every Yeare Vidz^t^ between the Nyne & twentieth day of September and the five and twentieth day of December nominate and appoint two honest and Substantiall men of their Counties for every hundred to be pressemasters for the yeare ensueing and if any one dye or depart the Country or be lame or sick within that time That then the next Justice of peace to nominate and appoint another in his stead that if Occasion require they & none elce shall impresse Victualls or other things given them in Charge to be pressed by Warrant from the Lord Proprietary his heirs or successors or his or their Leivtenant Generall & Gouernour for the time being And if any other but such pressemaster soe appointed shall presume uppon pretence of any power as a pressemaster to seize take presse or Carry away any goods or Comodities of any the Inhabitants of this Province shall pay to the person grieved treble the value of such goods or Comodityes soe as aforesaid unjustly pressed Provided that noe pressemaster or any other person or persons whatsoever shall presume att any time to take seize presse or carry away from any Inhabitant resident within this Province any armes or Amunition of any kind whatsoever vpon any duty or service vppon any accompt whatsoever vnder the penalty aforesaid any law Statute or vsage to the Contrary hereof in any wise notwithstanding p. 138

8^thly^ And for the more and better encouragement of such Soldiers as shall in the time of warr venture in the service of the Country and defence thereof against any Indians Bee itt Enacted by the Authority aforesaid That the free Booty Prize Pillage and Plunder or any Indian seized or taken Prisoner

Liber W. H. & L. shall by the Comander be equally distributed & divided amongst the Soldiers by a division & distribution to be made by the poll—

9thly And for the Encouragement of such soldiers as shall adventure their lives in the Service and defence of this Province and for a provision of some Reasonable pension to be for the future Settled on such soldiers as shall happen to be maimed and Rendred Vncapable to gett a Livelyhood for themselves & familyes Bee itt Enacted by the Authority aforesaid That every person that shall adventure as a Soldier in any warr in defence of this Province and shall therein happen to be maimed or Receive hurt soe as he thereby be rendred Vncapable of getting a Livelyhood as aforesaid shall according to his disability receive a yearely pension to be raysed out of the Publick Leavy of this Province for the time of such his disability & every person Slaine in the service of this Province & leaveing behind him a wife and Children such wife and Children shall alsoe be allowed a Competent pension the wife dureing her widdowhood and the Children till they be of yeares able to gett their Liveings or be putt out apprentices And that this pension shall be yearely Rated and allowed out of the Publick Levy as aforesaid by a Generall assembly the party petitioning for such pension and allowance procureing a Certificate from the Comissioners of the County Court where he shee or they live that he she or they are Objects of Charity & deserve to haue such pension and allowance Provided that this Act nor any thing therein Contained shall repeale nor be Construed to Repeale the perpetuall Law of this Province Entituled An Act for the Encouragement of such as shall adventure in the Countryes service Provided alsoe That this Act nor any thing therein Conteyned shall not be Construed or meant to discharge the Right Honble the Lord Proprietary his heirs and Successors from paying for Armes & Amunicōn or other Publick Charge of this Province soe farr forth as the moyety of the two shillings p hoggshead extends according to an act of Assembly Entituled an act of gratitude to his Excellency Charles Calvert Esqr Capn Generall of Maryland made att an assembly held att the Citty of St Maryes the 13th day of Aprill Anº 1674.

10thly And to the end and intent that this his Lordships Province & the Inhabitants thereof may be the better secured and defended Your Lordshipps most humble servants the members of the upper and lower houses of this present Generall Assembly doe humbly pray That itt may be Enacted & be itt further Enacted by the Right Honble the Lord Proprietary by and with the advice and Consent of the upper & lower
p. 139 houses of this present Generall Assembly That the said Lord

Proprietary his heires and Successors within Eighteene moneths after Publication hereof and dureing the payment of the two shillings p Hoggshed shall provide and maintaine out of the aforesaid moyety besides a Sufficient standing Magazine for this Province a Sufficient quantity of Armes & Amunition in every respéctive County for such number of men as shall att any time be thought necessary to be drawn out or Compelled to march out of such their respective Countyes in actuall service for the Lord Proprietary & defence of this Province to be depositted and kept in such persons hands Inhabitants of the same County as his Lordshipp or his Leivtenant Generall or Leivtenant Generall & Councell shall think fitt to appoint to keepe the same That hereafter vpon any Urgent or Extraordinary occasion for the defence of this Province his Lordships officers and the people may be supplyed from thence that soe the Inhabitants of this Province may not have their armes & amunition lyable to the Seizure of pressemasters and their officers (without which armes they cannott as bound by this Act appeare att Muster and Traynings without danger of being fined nor be able to defend themselves in their own houses from the sudden surprisall of their Enemyes Liber W. H. & L.

(11) And bee itt further Enacted and ordained by and with the advice and Consent aforesaid That if upon any forraigne Invasion Domestick Insurrecc̄on or Indian Incursion whatsoever any person or persons whatsoever (except before excepted) that shall be prest or be an inlisted Soldier within this Province shall upon Comand of his officer being a Captain att the least obstinately refuse to appeare and serve in Armes for the necessary defence of this Province such person or persons soe obstinately Refuseing to appeare & serve in Armes as aforesaid or That upon such Com̄and shall not appeare & serve in Armes as aforesaid shall upon Certificate thereof under such officers hand as aforesaid to the next Iustice of the peace of the County where such party liveth be proceeded against in manner following That is to say the same Iustice of the peace to whom such Certificate as aforesaid shall be made shall imediately issue forth a Warrant to the Constable of the Hundred where such party liveth to apprehend him & bring him before himselfe or some other of his Lordships Iustice of the Peace of the same County there to render a Sufficient Excuse if any he have for such his Refuseall or non appearance as aforesaid and if such Justice of the peace shall not find the Excuse of such party in such case to be Reasonable and Sufficient then he shall imediately comitt such party to the Custody of the sherriffe of such County there to remaine vntill he shall find surety to appeare att the next Provinciall Court to be held for this Province there to be

Liber W. H. & L. proceeded against according to due Course of Law And if thereupon he shall be Legally convict by a Iury of such his obstinate refuseall or disobedience as aforesaid he shall be fined and imprisoned according to the discretion of the Iustices of the Provinciall Court—

(12.) And for the Prevention of the great Charge of Annuall Assemblyes who may meet for noe other occasion but onely to
p. 140 lay the Publick Levy in time of Peace Bee itt Enacted by the Authority aforesaid That the Leivtenant Generall & Councell from time to time dureing the Intervall of Assemblyes for the defraying & payment of small Charges of this Province be and are hereby Impowered to assesse the same equally to be Levyed vpon all the Inhabitants of this Province for the defraying the said small Charges in times of peace as aforesaid any thing in this Act to the Contrary in any wise notwithstanding Provided alwayes & itt is the true intent & meaning of this Act That the said sum̄es for the small Charges of this Province soe to be assessed by the Governour & Councell as aforesaid upon the Inhabitants of this Province as aforesaid exceed not in any one yeare the sum̄e of fifty thousand pounds of Tobacco Provided that this Act or any thing therein Contained shall not extend to bind up or hinder the Lord Proprietary or his Governour or Leivtenant Generall for the time being or any officer especially Authorized from them or any of them vpon iminent danger by Invasion Insurrecc̄on or Incursion as aforesaid for and dureing the terme of Eighteen moneths before by this Act limitted & appointed for his said Lordship to supply and furnish this Province in Generall and every County thereof with Sufficient Armes for soe many men as can be Reasonably Conceived to be necessary to be drawn out upon such iminent danger of Invasion Insurrecc̄on or Incursion as aforesaid att any one tyme But that they & every of them uppon all or any such danger haue liberty to presse such private Armes & Amunic̄on of or belonging to any person within this Province as shall be necessary upon such occasion dureing the said Terme of Eighteene moneths reasonable regard being had to each respective family that they be not left vtterly destitute of Armes & Amunition for defence of the same This Act to endure for three yeares or to the end of the next Generall Assembly which shall first happen

An Act directing the manner of Ellecting and Summoning Delegates and Representatives to serve in succeeding Assemblyes

Forasmuch as the Cheifest and onely foundation & support of any kingdome State or Comonwealth is the provideing

enacting & establishing good and wholesome lawes for the well Ruleing & Government thereof & allsoe upon any necessary & imergent occasions to Raise & leavy money for the defraying the Charges of the said Government & defence thereof neither of which according to the Constitutions of this Prouince can be mãde ordeined established Leavyed or raysed but by & with the Consent of the freemen of this Province by their severall delegates and representtatives by them freely nominated chosen & Elected to serve for their severall Cittyes & Countyes in a Generall Assembly and for as much as the Safest & best rule for this Province to follow in Electing such Delegates & representatives is the presidents of the Proceedings in Parliament in England as neere as the Constitution of this Province will admitt the Delegates of this present Generall Assembly doe humbly pray That itt may be Enacted and Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by and with the advice and Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same That for the future when & as often as his Lordshipp the Lord Proprietary his heyres and successors his or their Leivtenant & Chiefe Governour for the time being shall vpon any accident & vrgent affaire of this Province think itt fitt & Convenient to Call & convene an Assembly and to send out writts for the Eleccõn of Burgesses & Delegates to serve in such Assembly the forme of the said writt shall be as followeth C: Absolute Lord and Proprietor of the Provinces of Maryland & Avalon Lord Baron of Baltemore To the sherriffe of A: Greeting these are to Authorise and Require you imediately vppon Receipt hereof to Call together four or more of the Commissioners of Your County with the Clerke who are hereby required to sitt as a Court and dureing their sitting by vertue of your office to make or Cause to be made Publick Proclamacõn thereby giveing notice to all the freemen of your said County who have within your said County a freehold of fifty Acres of Land or a visible personall Estate of forty pounds starling att least Requireing them to appeare att the next County Court to be houlden for your County att a Certaine day within a Reasonable time after such Proclamacõn made for the electing & Chuseing of Deputyes and delegates to serve for your County in a Generall Assembly to be holden att the Citty of S^t^ Maryes the day of at which time of Proclamacõn aforesaid the said freemen soe Required to appeare or the Major part of such of them as shall then appeare shall and may and are hereby Authorized and Required to Elect and Chuse four severall & Sufficient freemen of your County each of them haveing a freehold of fifty Acres of land or a visible personall estate of forty pounds starling att least

Liber W. H. & L.

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Liber W. H. & L. within your County and you shall give Authority to each of them severally and respectively by four severall and Respective Indentures vnder their hands and Seales to be Deputyes & Delegates for your County and to appeare and serve as Deputyes and Delegates for your County att the said next Generall Assembly to doe and Consent to those things which then by the fauour of God shall there happen to be ordained by the Lord Proprietary by the advice and Consent of the great Councell of this Province Concerning such occasions and affaires as shall relate to the Government State and defence of this Province but wee will not in any case that you or any other sherriffe in our said Province be elected which said Indentures shall be between you the sherriff of the one part and the said freemen Electing on the other part and shall beare date the same day vppon which the said Eleccōn shall be made
p. 142 and shall mention the time and place of such eleccōn And the persons soe elected and shall be signed and sealed each part of them as well by you the Sherriffe as by the said freemen by whom the said Eleccōn shall be made and that vpon such Eleccōn you the sherriffe shall soe soone as Conveniently may be certifie and transmitt to the Chancellor of this Province for the time being one part of the said severall & Respective Indentures close sealed up vnder your hand & Seale and directed to the Lord Proprietary of this Province and alsoe to the said Chancellor & the other part of the said Indenture you are to keepe for your Justificacōn wittnes our selfe att our Citty of S^{t} Maryes &c. And be itt further Enacted by the Lord Proprietary by and with the Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same that two Cittizens to serve in the said Assembly for the Citty of S^{t} Maryes be nominated elected Chosen and appointed by the Major Recorder Aldermen & Comon Councell as heretofore hath been vsuall And Bee itt further Enacted by the Authority aforesaid That the aforesaid four Delegates to be elected in the Respective Countyes within this Province and the two Cittizens of the said Citty of S^{t} Maryes be and are hereby bound and obleiged to attend att the time and place of the meeting of such Assemblyes without any further writt or Summons to be to them sent vnder the penalty of such fines as shall be by the lower house of Assembly imposed uppon them Vnless vpon sufficient Excuse to be admitted by the said lower house of Assembly their absence be dispenced withall any Statute law or vseage to the Contrary thereof in any wise notwithstanding And Bee itt alsoe Enacted by the Authority aforesaid That any sherriffe that shall refuse or neglect to make returne of the Delegates soe Elected by Indenture as aforesaid before the day of Sitting of such

Assembly or that shall make any vndue or illegall returnes of such eleccōns shall for every such default be fined one hundred pounds starling one halfe to the Lord Proprietary the other halfe to the informer or him or them that shall sue for the same to be Recovered in any Court of Record in this Province wherein noe Essoyne protecc̄on or wager of Law to be allowed Provided Neverthelesse that this Act or any thing therein Contained shall not extend to or be construed to Exclude any County or Countyes Citty or Cittyes Burrough or Burroughs hereafter by his Lordship the Lord Proprietary of this Province his heirs & Successors to be erected appointed and made within this Province from the benefitt and liberty of such eleccōns of Delegates and representatives as is before Expressed but that such writt as aforesaid shall uppon Calling every Generall Assembly for this Province for the future be issued to the Sherriffe of every such County when the same shall be erected and made into a County as aforesaid and to Major Recorder and Aldermen of such Citty or Burrough Comanding such sherriffe or Major Recorder & Aldermen to Cause four freemen of the same County & two freemen of the said Citty & Burrough qualified as in the said writt is Expressed to serve as Delegates and representatives of the same County Citty or Burrough in the Generall Assembly then next ensueing which said four Delegates for every such County and two Delegates for every such Citty and Burrough shall from henceforth be and be Reputed and Esteemed to be members of the lower house of the Generall Assembly of this Province any thing in this Act to the Contrary in any wise notwithstanding— Liber W. H. & L. p. 143

Provided alsoe that noe Sherriffe or vnder sherriffe of this Province shall sitt as a member of the Lower house of Assembly dureing the Tearme of his or their sherriffalty—

Provided alsoe that noe ordinary keeper within this Province dureing the tearm of his keepeing Ordinary shall be elected Chosen or serve as a Deputy or Representative in the said Generall Assembly soe to be hereafter Called convened and appointed as aforesaid—

An Act for the due Recording of all the Lawes of this Province in the Secretaryes office

The upper and lower houses of this present Generall Assembly considering the many mischiefes Errors and inconveniencyes which did arise and were Comitted in this Province by reason the Lawes were not ascertained what were lawes or what lawes Continued Repealed and vnrepealed did at the first sessions of this Assembly procure from his Lordship the Right Hon^ble

Liber W. H. & L. the Lord Proprietary his Lordships assent and Confirmacōn vnder his hand for the Confirmacōn of all such lawes temporary and perpetuall as were att the end of the s^{d} sessions then in force and to the intent that all majestrates might the better know how to doe Justice according to those lawes and that all persons in this Province might in their severall Countyes haue recourse to the said Lawes & Regulate themselves accordingly did Enact that every County Clarke should ex officio transcribe & fairely write out in a booke for that purpose to be kept all the Lawes that att the end of the said sessions were in force to the intent that a faire and true Record of the Lawes might be kept in every County Neverthelesse the Delegates of the Lower house of Assembly vpon view and pervseall of the body of Lawes of this Province kept in the secretaryes office finding the booke in which they are entred to be by the often vseing all most worne out and vnbound the leafes loose and may be scattered and lost and the old lawes as well temporall as perpetuall Repealed and not Repealed Continued and discontinued confusedly mixt together and ill and vnclarke like written in soe many severall hands and noe Sufficient attestacōns to the same from the Lord Proprietary or his Leiftenant Generall Cheife Governour Chancellour Secretary or other person to testifie the said booke to be an Authentick Coppy of
p. 144 the severall Lawes confirmed by his Lordship the Lord Proprietary and the severall Originall Lawes into the said booke Entered and from time to time to the end of every Assembly Signed allowed and Confirmed by his Lordships father of happy memory or his Lordship his or their Leivtenant or Cheife Governour soe negligently and carelesly kept in loose papers Ragged and torne and Scarce legible to Justifie the Lawes in the said booke entred as aforesaid to the great dishonnour of his Lordship and the Province that the said Lawes which are the Warrant of all Judiciall proceedings in civill and Criminall matters and other matters and Concernes of the Province and the Originall from which the Lawes in the County Courts are transcribed should be soe carelesly and vndecently kept for Remedy whereof and to the intent that our Records may appeare plaine safe and secured to posterity the Delegates of this present Generall Assembly doe pray that itt may be enacted And be itt Enacted by the Right Hon^{ble} the Lord Proprietary by and with the advice and Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same that the secretary of this Province (in whose custody the Records of this Province Remaine and to whom the benefitt of the Coppyes of such Records doe accrue) doe att or before the five and twentieth day of may next ensueing cause all such Acts of Assembly and Lawes of this

Province as shall be of force att the end of this present sessions of Assembly to be entred vpon Record in a large new booke of a large folio and good Substanciall paper well bound in a leather cover for that purpose to be kept onely in the Secretaryes office in a faire and legible sett hand and carracter and shall alsoe causé the same to be Examined by the Originall Acts Remaining vpon Record vnder the hands of the Severall Clarkes of both houses and his Lordship the Lord Proprietary that now is his assent made thereunto att the end of the last Session of Assembly and the same soe entred shall be sealed with the lesser Seale and Signed by the Hon^ble^ the Secretary and that his honnour the Secretary doe alsoe cause a list and Catologue of the said Lawes to be entred in the said booke and an index or table of the principall matter therein Contained to be made Alphabetically for the more easy and ready finding out the matters therein Contained and in default thereof by the time aforesaid the said Secretary shall pay as a fine for the same the summe of tenn thousand pounds of Tobacco one halfe thereof to the Lord Proprietary and the other halfe thereof towards the building of a place to secure the Records and when the same is soe done and written the said Secretary shall att the next Generall Assembly be allowed and paid out of the Publick Leavy soe much Tobacco as the said Secretary shall reasonably deserve

Liber W. H. & L.

An Act Regulateing Ordinaryes and Limitting the number of them within this Province

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For the better regulateing ordinaryes & ordinary keepers and Inholders within this Province for the future Be itt Enacted by the Right Hon^ble^ the Lord Prop^ry^ of this Province with the advice and Consent of the upper and lower houses of this present Generall Assembly & the Authority of the same that from and after the Publicacōn hereof the Comissioners of each respective County within this Province att their severall and respective County Courtes and the Major Recorder and Aldermen of the Citty of S^t^ Maryes att their Majors Court be and are hereby Authorized and impowred from time to time and as often as need shall require to grant Licences of such person or persons as they shall thinke fitt to be Ordinary keepers or Inholders for the keepeing of Ordinaryes and houses of Entertainment for soe long time and in such and soe many places within their severall and respective Countyes And Citty aforesaid for the ease and Conveniency of the Inhabitants Travellers and strangers as to them respectively shall seeme meet and Convenient for which licences the said persons that shall be soe licenced to keepe ordinaryes as afore-

Liber W. H. & L.

said shall att the time of his or their takeing such Licence or Licences be bound and obleiged to pay vnto the Right Hon^ble^ the Lord Propriet^rys^ his heires and successors if he or they keepe ordinary within the Citty of S^t^ Maryes or within two miles thereof the sume of two thousand pounds of Tobacco yearely for a fine for every such Licence and if he or they keepe ordinary in any County within this Province the sume of twelve hundred pounds of Tobacco and give bond for due payment thereof

And itt is hereby further Enacted by the Authority aforesaid that the Clarke of each respective County Court within this Province and the Clarke of the Maj^rs^ Court of the said Citty shall Cause such Licence and the fines for granting the said Licences and the securities given for payment and performance thereof be duely entred uppon Record in their Severall Courtes and then transmitt the said bonds to the Justices of the Provinciall Court for his Lordships vse for which said Licences and bonds aforesaid such Ordinary keepers shall pay to such respective Clarkes Sixty pounds of Tobacco and noe more.

And be itt Enacted by the Authority aforesaid that the Comissioners of the County Courtes and the said Major Recorder and Aldermen of the said Citty be and are hereby further impowred and Authorized att their severall County Courtes & the Majors Court in the moneth of January next and in every ensueing yeare dureing the Continuance of this Act in the said moneth of January (haveing sumoned every respective ordinary keeper within their respective Countyes and Citty then and there to appeare before them) to Sett & assesse the rates and prizes of all liquors whatsoever (not hereafter in this Act menconed) by them the said Ordinary keepers vended or to be vended for the yeare ensueing and soe

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for every yeare dureing the Continuance of this Act as aforesaid which said Rates and prizes soe to be sett assessed limitted and appointed by the Comissioners aforesaid and by the Majestrates of the Citty aforesaid shall be by their severall respective Clarkes fairely transcribed & sett upp att their severall respective County Courts and Citty aforesaid in some Publick place or places there that any person or persons may see and pervse the same for which Sumons and Table of Prizes every Ordinary keeper shall pay to such Clarke the sume of forty pounds of Tobacco And any Ordinary keeper or Inholder that shall after Setting and assessing the Rates & prices aforesaid directly or indirectly presume to take exact demand or receive for the price and pay for any Such liquors for which the Rates and prices shall be sett and assessed as aforesaid of any person or persons whatsoever above the Rates and prices

soe to be sett and assessed as aforesaid shall for every such default forfeit and pay vnto the Right Hon^ble^ the Lord Proprietary the sume of five hundred pounds of Tobacco one halfe thereof to his said Lordship and the other halfe to him or them that shall informe and sue for the same and loose every such debt soe vnjustly Charged exacted and demanded the said forfeiture to be Recovered in any Court of Record within this Province wherein no essoigne protecc̄on or wager of Law to be allowed and every such ordinary keeper that shall demand exact or Receive above the sume of tenn pounds p Gallon for small beare twenty pounds of Tobacco p Gallon for strong beare for a nights lodging in a bedd four pounds Tobacco for a peck of Indian Sheld Corne or Oates for a horse twelve pounds of Tobacco for pasture for a horse p night six pounds of Tobacco for hay or straw for a horse p night tenn pounds of Tobacco shall alsoe pay and forfeit for every such default to the Lord Proprietary the like sume of five hundred pounds of Tobacco one halfe thereof to his said Lordship and the other halfe to him or them that shall informe and sue for the same and loose his debt soe vnjustly Charged as aforesaid the said forfeiture to be Recovered in any Court of Record in this Province wherein noe Essoyne protecc̄on or wager of law to be allowed— Liber W. H. & L.

And to the intent that all persons Inhabitants Travellers and strangers as aforesaid may be Certaine of Sufficient accomodac̄on for themselves and horses Bee itt Enacted by the Authority aforesaid That every Ordinary keeper or Inholder soe to be Licenced as aforesaid shall within six moneths after granting their respective Licences be and are hereby obleidged to provide & maintaine accomodac̄on of Oates hay and straw for Litter and Indian Corne together with Stable Roome convenient and Sufficient for twenty horse att the least vnder the penalty of the forfeiture of paying the sume of ten thousand pounds of Tobacco one halfe to the Lord Proprietary the other halfe to the Informer or him or them that shall sue for the same to be Recovered by bill plaint or Informac̄on in which noe Essoigne protecc̄on or wager of Law to be allowed Provided allwayes that noe person or persons soe lycenced or to be Lycenced to keepe Ordinaryes as aforesaid shall dureing the time of such their keeping Ordinaryes be Justices of the Peace or Comissioners in any County Court within this Province nor Majo^r^ Recorder nor alderman of the said Citty of S^t^ Maryes any thing in this Act to the Contrary notwithstanding— p. 147

And itt is hereby Enacted by the Authority aforesaid That any Ordinary keeper keeping evill Rule and order in his house and suffering Extraordinary drinking fighting and

Liber W. H. & L. Quarelling in his house upon Complaint made thereof to the Justices of the County Court of such Ordinary keepers misbehaviour of himselfe or keeping evill rule in their house the said Justices of the said County Court may and are hereby Authorized and impowered to supresse such Ordinary and call in such Licence

And Bee itt further Enacted by the Authority aforesaid that any Ordinary keeper disabled or suppressed as aforesaid or any other person that shall presume to keepe ordinary without Licence first had and obteined as aforesaid shall for every moneth he or they shall keepe Ordinary as aforesaid forfeit and pay to the Lord Proprietary tenn thousand pounds of Tobacco one halfe thereof to his Lordshipp and the other halfe to him or them that shall informe and sue for the same to be Recovered in any Court of Record in this Province by bill plaint or Informacōn wherein noe Essoigne protecc̄on or wager of Law to be allowed—

And lastly itt is hereby Enacted by the Authority aforesaid That the Justices of the Provinciall Court and the Comissioners of the Respective County Courts shall give this Act in Charge to the severall grand Juryes as alsoe the severall Comissioners of the Respective County Courts and the Majestrates of the said Citty to their severall and Respective Constables to enquire into the breach of this Act and into all disorders Comitted in the said Ordinaryes and present the same if any be to the said severall Courtes there to be Examined and punished according to Law this Act to Continue for three yeares or to the end of the next Generall Assembly which shall first happen—

An Act for Ellecc̄on of Sherriffe

Forasmuch as there haue lately been great Complaints Generally made from all part of this Province of the great absurdities and abuses Comitted by severall Sherriffes of this Province upon severall Inhabitants of the same Redresse whereof the Honnourable Thomas Notley Esq^{r} present Go Leivtenant Generall of this Province vnder the Right Hon^{ble} and Proprietary of the same by and with the advice and Consent hath Caused to bee published and Proclaimed throughout this Pro reasonable Proclamacōn vnder the great Seale of Seven-
p. 148 teenth day of October in the Third yeare of the Dominion of the Right Hon^{ble} Charles &c. Annoq Domini one thousand six hundred seventy & Eight And Whereas itt hath Evidently appeared by the Continuall and frequent Clammours of Poore Indigent people that the long Continuance of the severall

Sherriffes in their Respective offices hath prompted and imboldned them to abuse Terrify and trample vpon the poore Inhabitants of this Province and to Exact and Extort from them Excessive and Exorbitant fees Contrary to Act of Assembly This present Generall Assembly being very desireous that all such absurdities and abuses may fully and Effectually be prevented and avoyded for the future And that noe Sherriffe nor vndersherriffe may vppon presumption of being long Continued in his place Attempt to threaten or Terrify any of the Inhabitants of this Province by Colour of his office or by his or their Insolent and haughty behauiour Terrify such wronged and abused Inhabitant from makeing their Iust Complaints known for feare of further mischiefe or revenge from such Sherriffe or vndersherriffe in any succeeding or future yeare. Doe pray that itt may be Enacted and bee itt Enacted by the Right Hon^ble^ the Lord Proprietary of this Province by and with the advice and Consent of the upper and lower houses of this present Generall Assembly That from and after the first day of may which shall be in the yeare of our Lord one thousand six hundred seventy Nyne Noe Sherriffe or vndersherriffe of any County within this Province shall Continue and Remaine in his or their office or offices of Sherriffe or vndersherriffe of such County for any longer or greater time then one whole yeare from the first time of his Entrance into such office or offices Any Law or vsage to the Contrary in any wise notwithstanding vnless that such sherriffe or sherriffes soe to be Comissionated and Continued for a longer time then one yeare for every yeare after the said first yeare shall procure from their respective County Courts a Certificate of his or their Iust Execucōn of their offices the preceeding yeare And that the Justices of the said County Courts knowe noe Iust occasion for his or their Removeall Liber W. H. & L.

And Be itt further Enacted by the Authority aforesaid by and with the advice and Consent aforesaid That if any Sherriffe or Vndersherriffe shall for the future accept of a Comission for the said office of sherriffe or Subsherriffe Contrary to the forme Intent and true meaning of this Act and without such Certificate from the County Court as aforesaid first had and Then every such Sherriffe shall forfeit and pay To the Lord ietary the sum̄e of two hundred pounds starling And every such erriffe shall forfeit and pay to the Lord Proprietary the sum̄e of Sterling the one halfe of both the said forfeitures of the said erriffe to be the one halfe to the Informer or Informers or him or them p. 149 that will Informe or sue for the same to be Recovered in any Court of this Province by bill plaint or Informacōn wherein noe Essoyne protecc̄on or wager of Law to be allowed Pro-

Liber W. H. & L.

vided alwayes that this Act nor any thing therein Conteyned shall not extend to debarr any person whatsoever from takeing his Legall Remedy against any sherriffs for takeing Extortious fees or any other offence whatsoever relateing to his office any thing in this Act to the Contrary in any wise notwithstanding This Act to endure for three yeares or to the end of the next Generall Assembly which shall first happen—

An Act for the better administracon of Justice in the County Courtes of this Province

For the Administracōn of Justice in and Regulation of the County Courtes Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by & w^th^ the aduice & consent of the upper & Lower houses of this present Generall Assembly and the Authority of the same that the Statute bookes of England to these times named Keebles abridgements of the Statutes & Daltons Justice of the Peace be bought by the Justices of the Peace or Comissioners of the severall County Courtes at the Charge of the Respective Countyes to be kept in their severall County Courtes that the Justices and officers of the said Courtes and others may haue Recourse to the same as they shall have occasion & that the said Justices of the said Courtes doe purchase and procure the same by the first day of January in the yeare of our Lord one thousand six hundred seventy & Nyne,

And be itt alsoe Enacted by the Authority aforesaid that the Comissioners of each respective County Court shall & may & are hereby impowered from time to time & as often as to them shall seeme Convenient to make & ordaine such necessary Rules & orders for the well governing and better Regulateing the said County Courtes and the officers to the same belonging & suiters to the same as to them in their discretion shall seeme Requisite & under such fines as they shall think fitt (not Exceeding one hundred pounds of Tob for any one offence) all which fines to be imployed to the vse of the poore of each Respective County which rules and orders soe by them to be made & ordained shall be fairely transcribed by their severall County Clarkes & att every their County Courts sett up att the Court house doore that all persons may view and pervse the same and Regulate themselves accordingly

And Bee itt Enacted by the Authority aforesaid that where any Judgment is had in any County Court for any matter or thing whatsoever and after such Judgment had & obtained the party against whome the same is had many times flyes into another County out of the Jurisdiccōn of the said County Court itt shall and may be Lawfull for the pl^t^ to procure a Certificate

from the said Justices of such partyes flying and thereupon the Justices of the Provinciall Court shall award Execucōn against the body or goods of the said party any Law Statute or vseage to the Contrary in any wise notwithstanding— Liber W. H. & L.

And Bee itt further Enacted by the Authority aforesaid that any bills bonds or other Specialtyes, booke debts, or accompts, proved before two Justices of the peace of any County or any one Justice of the Provinciall Court and Just Creditt given to the same and that the ballance thereof is wholly due & vnpayd and soe Certifyed vnder the hand of the said Justices shall be sufficient Evidence as well in the Provinciall as County Courtes within this Province (any law Statute or vseage to the Contrary notwithstanding) this Act to endure for three yeares or to the end of the next Generall Assembly which shall first happen— p. 150

An Act for appeales and Regulateing writts of Errors

Forasmuch as the liberty of appeales from the Judgments of County Courtes heretofore granted by an Act of the Generall Assembly of this Province Entituled an act to prevent vnnecessary delayes of Execucōns is found to be of great vse ease and benefitt to the people of this Province Butt the said Act is not soe full and cleerly drawn in some perticulars thereof as the same ought to be Bee it therefore Enacted by the Right Hon^ble^ the Lord Proprietary by & with the advice & Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same That noe Execucōn vpon any Judgment in the County Court or other Inferior Court of Record of this Province shall be stayed or delayed or any supersedias vpon such Judgment granted or sued forth vpon any appeale from any such Court or Courtes of Record as aforesaid to the Provinciall Court of this Province in any accōn whatsoever vnless such person and persons in whose name or names such appeale shall be made or some other on his or their behalfe shall imediately vpon makeing such appeale enter into bond with sufficient surety or suretyes (such as the Court where such Judgment shall be given shall allow and approve of) to the party for whom any such Judgment is or shall be given in the penalty of Double the sume adjudged to be Recovered by such Judgment of such County Court or other inferior Court from whome the said appeale shall be made with Condition that if the party appeallant shall not pursue the direccōns of this Act hereafter mencōned att the Provinciall Court then next ensueing according to the Rules of the Provinciall Court and prosecute the same appeale with effect and alsoe satisfie and pay to the said party his heyres Executors

Liber W. H. & L. Administrators or assignes (in case the said Judgment shall be affirmed) as well all and Singular the debts Damages and Costs adjudged by the aforesaid Judgment as alsoe all costes and damages that shall be awarded by the Provinciall Court for the same delaying of Execucōn then the said Bond to stand in full force and vertue And whereas by the Law of England there is noe Rules prescribed for the Prosecucōn of such appeales as aforesaid (being not altogether agreeable to the
p. 151 Practice of the same Law) Yett being found Necessary and Convenient for the good of this Province as aforesaid Bee itt therefore Enacted by the Authority aforesaid that the method and Rule for prosecucōn of such appeales as aforesaid shall for the future be in manner and forme hereafter expressed (that is to say) the party Appellant shall procure a Coppy or transcribt of the full proceedings of the said Court from whom such appeale shall be made vnder the hand of the Clarke of the said Court and the seale of the said Court and shall Cause the same to be transmitted to the Provinciall Court then next ensueing and shall alsoe att the same Provinciall Court file in writeing according to the Rules of the Provinciall Court, such Errors in the said proceeding as he shall think fitt to assigne or such Causes and reasons as he had for makeing the said Appeale whereupon and vpon the said transcribt the Provinciall Court shall proceed to give Judgment as in cases of writts of Error is vseuall Provided that this Act shall not Extend to barr any person or persons from sueing out writt or writts of Error according to due course of Law. But that every such person or persons shall be left to their Eleccōns whether they will bring a writt of Error or sue out an appeale as aforesaid Provided alsoe that every person and persons that shall sue out any writt of Error or Supersedias in any cause whatsoever shall before such writt of Error or Supersedias be issued enter into bond with the penalty of Double the sume adjudged to be Recovered by the former Judgment of the Inferiour Court before the Chancellor or Secretary of this Province for the time being with sufficient security or securityes to prosecute such writt of Error with Effect and in case the said former Judgment shall be affirmed to pay and Satisfye as well all and singular the debts damages and Costes adjudged by the said former Judgment of the Inferiour Court as alsoe all Costes and damages as shall be awarded by the Superiour Court where such writt of Error is Returnable

And Bee it further Enacted by the Authority aforesaid That all and every Appeales made in manner aforesaid shall from hence forth by the Provinciall Court of this Province be admitted and allowed of in nature of a writt of Error.

And bee itt further Enacted by the Authority aforesaid That

all and every Clarke and Clarkes of the Respective County Courtes or other Inferior Courtes of Record of this Province shall be and is hereby obleidged (at the time of such Courtes sitting when any appeale shall be demanded) to enter a memorandum of the same demand as well in his or their Journall, as in the faire Record of the proceedings of such Court or Courtes And that noe Clarke nor Clarkes of any County Court or other inferiour Court of Record of this Province shall for the future refuse or delay vpon request of any such appellant to write and make out transcript & transcripts of such proceedings as aforesaid vnder his hand and seale of the said Court as aforesaid vpon penalty to pay the Respective damages and damages which such person or persons shall susteine by such Refuseall or delay as aforesaid the party appellant paying and secureing such respective Clarke his Just fees for the same according to Law And be itt further Enacted by the Authority aforesaid that the said Act Entituled an Act to prevent vnnecessary delayes of Execucōns made att a Generall Assembly held for this Province the fifteenth day of May one thousand six hundred seventy six and every part thereof be from henceforth wholly Repealed— Liber W. H. & L. p. 152

And lastly be itt Enacted by the Authority aforesaid that noe officer or officers within this Province shall hereafter for any writt of Error Supersedias, or scire facias, to heare Judgment vppon Errors from the Provinciall Court of this Province to any County Court or other inferior Court of this Province, Receive or demand any more or other fee or fees then is hereafter mencōned (that is to say) for a writt of Error to the Secretary fifty pounds of Tobacco and to the Chancellor for the Seale thereof one hundred & twenty pounds of Tobacco for a Supersedias to the Secretary fifty pounds of Tobacco & to the Chancellor for the seale thereof one hundred and twenty pounds of Tobacco for a Scire facias to the Secretary fifty pounds of Tobacco and to the Chancellor one hundred and twenty pounds of Tobacco for the Seale thereof and noe more any act heretofore made or any Law vseage or Custome to the Contrary in any wise notwithstanding This Act to Continue for three yeares or to the end of the next Generall Assembly which shall first happen—

An Act for Limitting the County Clerkes fees within this Province—

His Lordship the Right Hon^ble^ the Lord Proprietary willing and desireing the ease and Conveniency of his good people in suites att Law did att the first sessions of this Assembly by the advice and Consent of the upper and Lower houses of

Liber W. H. & L. Assembly by an act entituled An Act for the ease of the Inhabitants of this Province in Suites of Law for small debts Ordeine and Enact That noe debt vnder the sume of fifteene hundred pounds of Tobacco should be sued but in the County Court by meanes whereof multiplicity of suites and actions are moved and Stirred in the said County Courts to the great profitts of the Clerkes thereof in their fees And whereas by another Act made att the same Assembly Entituled An Act for officers fees the secretaryes fees are settled which was never intended by the said Act to relate to any other matters then for fees relateing to the Provinciall Court & Secretaryes office nor can the words in the same warrant any other Construccon, Yett nevertlesse the said County Court Clerkes by Colour of the said Act (their fees haveing not as yett been otherwise Settled) doe presume to take the same fees for such things as doe Relate to their Respective offices as are Limitted to the Secretary to the great grievance of the many and poore Suitors in the County Courtes of which many Complaintes have been made to the Delegates of the Lower house of
p. 153 Assembly for the prevencon whereof for the future & for the ascertaining the said County Clarkes fees the Delegates of this present Generall Assembly doe pray that itt may be Enacted and be itt Enacted by the Right Hon^ble^ the Lord Proprietary by and with the aduice and Consent of the upper and lower houses of this present Generall Assembly & the Authority of the same That from henceforth no Clerkes in any County Court within this Province shall demand take Exact or Receive of any Suiter plaintiff or Defendant or other Suiter or Peticoner any other fees then are hereby limitted and directed viz^t^

	1 Tob.
For every writt or Capias & Returne	16
For every Declaracon if a folio	8
if halfe a folio	4
for a Coppy thereof if the same be desired & delivered as before	
for entring the Defendants appearance	6
for every imparlance & refference	4
for fileing every plea or demurrer if not a Speciall one	4
if a folio or more pro rato as before	
for the Coppy pro rato as before if desired & delivered	
for fileing any matter vppon Record if halfe aside	4
if a whole side	8
for a Sup^a^ & returne if but one name	10
if 3 names	16
for Rule to plead or goe to tryall	04
for makeing up the issue if Joyned	8
for Coppy if desired & delivered	8

for entring a Judgment	16	Liber W. H. & L.
for Signeing Judgment	12	
for Venire facias	12	
for entring the pannell being the due Returne	4	
for fileing a bill of Costs	8	
for Coppy if desired	8	
for an Execucōn and Returne	16	
for a Scire facias and Returne	16	
for a Speciall Bayle	6	
for a writt of Enquiry of Damages	44	
for Entering an appeale	8	
for Returning & Certifyeing the Record ꝑ folio	8	
for Entring a writt of Error transmitted to them from the Provinciall Court	8	
for every Oath	6	
For proveing any deed or other writeing	6	p. 154
For entring the same vpon Record after the Rate of 8^{l} ꝑ folio as before		
For Coppy the same fee		
For Recording the marke of Cattle	4	

Provided allwayes that in case any person shall refuse to pay the same soe by this Act Limitted & allowed itt may and shall be Lawfull for every County Clerke within this Province to recover the same by way of Execucōn against the goods or Body of the person Soe Refuseing & noe other And in case the said County Court Clerkes or any of them shall doe Contrary directly or indirectly to this Act he and they shall loose and forfeit to the party Grieved treble damages and shall alsoe forfeit the Sume of three thousand pounds of Tobacco or twenty pounds starling for every time he or they shall doe the Contrary the one moyty to the Lord Proprietary his heires or Successors and the other moyety to the party or partyes that shall sue for the same by any plaint action Suite bill or Informacōn wherein noe Essoyne Protecc̄on or wager of Law shall be allowed Provided alsoe That if any fees accrue for any matter or thing hereafter to be done belonging to the said office of Clerk in the County Court as aforesaid (& which they are not bound to doe Ex Officio) & by the Justices of the County Court adjudged and allowed to be done & not in this Act limitted mentioned & allowed them it shall and may be Lawfull for them the said Clerkes to have and Receive Such fees as the said Justices shall allow and Judge fitt according to the Proportions aforesaid and noe more Vnder the penalty aforesaid to be Recovered as aforesaid

Liber W. H. & L.

An Act for keepeing a Register of Birthes Marriages and Burialls in each Respective County

Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by & with the advice and Consent of this present Generall Assembly and the Authority of the same that the names Surnames and places of abode of all manner of persons within this Province Except Negroes Indians & Molottos that shall from and after the Publicacōn of this Act be borne married or buryed within this Province together with the Respective dates of the day moneth and yeare of our Lord of their said Birth Mariage and Buryall shall be Exhibitted to the Clarke of each Respective County Court by the father of any such Child that shall be borne, the person marryed or next of kinn Executor Administrator Master or mistriss to him or them that shall be buryed as aforesaid within two moneths after such birth marriage or buriall aforesaid vnder the penalty of twenty pounds of Tobacco the one halfe to the Clarke of each respective County Court the other halfe to the poore of the said County wherein shall happen to be any such default as aforesaid

p. 155 And bee itt further Enacted by the Authority aforesaid That every Clarke of each Respective County Court within this Province shall att his own Costes and Charges within one moneth after the Publicacōn hereof provide a good and dureable booke wherein he shall Register in a faire legible hand the names Surnames places of abode together with the Respective dates of the day mōneth and yeare of our Lord of the births marriage or burialls soe Exhibitted as aforesaid for which he shall haue as his fee the sum̄e of five pounds of Tobacco to be Levyed by way of Execution on the goods or Chattles of the person soe Requireing The Registering the same as aforesaid that shall neglect or refuse to pay the same And if any Clerke of any County Court within this Province shall neglect or refuse to provide one Dureable booke as aforesaid and therein to Register the names Surnames and places of abode of such persons as shall be borne marryed or buryed within their Respective County soe Exhibitted as aforesaid shall forfeit and pay for every offence the sum̄e of two thousand pounds of Tobacco the one halfe to the Lord Proprietary the other halfe to the Informer to be Recovered in any Court of Record within this Province by bill plaint or informacōn.

Bee itt Enacted by the Authority aforesaid that the Comissioners of each Respective County att their severall sessions shall make Speciall Search and inquiry into the premisses that the Respective Clerkes doe their duty as aforesaid—

Provided that this Act nor any thing therein Conteyned shall any way Countenance the discontinuance of any legall Register of Birthes marriages or Burialls hitherto kept in any

County within this Province But the same shall be fairely and methodically transcribed by each respective County Court into the said Booke or Register to be provided as aforesaid and written in the Beginning of the said Booke— Liber W. H. & L.

Bee itt likewise Enacted by the Authority aforesaid That An Act intituled An Act concerning a Register of Birthes Marriages & Burialls made in the yeare of our Lord one thousand six hundred fiuety & Eight be & is hereby Repealed and made voyd this Act to endure for three yeares or to the end of the next Generall Assembly—

An Act imposeing a penalty on all such who shall dispose of Tobacco Seized and Received by the Sherriffe and others.

Whereas divers and great greivances have happened within this Province through the many cheates and deceits that many have vsed in disposeing of and altering the marke and qualityes of Tobacco after the said Tobaccoes have been seized on And Received by the sherriffe either for fines Leavyes or his Lord- p. 156
shipps Rent or hath been payd away to Marchants or others and by them marked and Received whereby both the Publick hath been much abused and wronged and many private persons have Received great damages in their said goods Bee itt therefore Enacted by the Right Hon^ble^ the Lord Proprietary by and with the Consent of the upper and lower houses of this present Generall Assembly that what person soever shall dispose of any Tobacco or other goods seized on or Received by Sherriffes for fines Leavyes or his Lordships Rent or other Publick officers fees or that shall alter or Scratch out the marke of any Tobacco soe Received or that shall alter or Change the quality of Tobacco soe Received or by any Marchant or other Received either by vncaseing or otherwise without Lawfull order or Warrant in writeing vnder hand of such sherriffe who has Received the same or of such Merchant or other person who has had Received and marked the same or for whose vse the same was Received and marked shall be lyable being convicted by Confession or Sufficient wittness in some Court of this Province to Restore four fould to the party grieved and to stand in the Pillory two full houres dureing the Court time with his offence fairely written in a peece of paper and placed vpon his back Provided noe person shall be impleaded or prosecuted uppon this Act after twelve moneths from the time that the fact shall be Comitted Provided alsoe That this Act shall Continue for three yeares or to the end of the next Generall Assembly and noe longer

Liber W. H. & L.

To the Right Hon^ble^ the Lord Proprietary of Maryland and Avalon Lord Baron of Baltemore &c.

The humble Peticōn of Joshua Guibert

Humbly Sheweth

That your Petitioner Joshua Guibert borne in the Citty of Rheimes in high Brittany in the Kingdom of France and being now Removed into this Province and haveing for divers yeares therein Inhabitted being invited to Come & dwell within this Province by and vppon Confidence of your Lordships fathers Declaracōn of the second of July one thousand six hundred forty Nyne whereby your Lordships said father did Impower his Gouernour from time to time to grant lands to any persons of french Dutch Spanish or any other forreigne decent in the Same in as ample manner and vpon the same tearmes and Provisoes as he was thereby Impowered to grant Land to any person or persons of Brittish or Irish descent

p. 157 And dureing his said Abode he hath been allwayes faithfull and obedient to your Lordshipps Lawes Yett for that your Petitioner is not of Brittish or Irish descent hee Cannot take the benefitt of the Customes and Lawes of this Province as other the people of this Province of Brittish or Irish descent may to his great losse prejudice and hinderance as alsoe to the Deterring of divers others of the same forreigne Nations aforesaid from Comeing into this Province And by Consequence foreslowing the peopling this Province with vsefull Handicrafts men & artificers—

May it therefore please your Lordship of your abundant Goodness and wonted Care of and over this Province that itt may be Enacted and ordeyned by your Lordship And be itt Enacted & ordeyned by the Lord Proprietary by and with the advice and Consent of the upper and lower house of this present Generall Assembly That your Lordships humble peticōner Joshua Guibert be and shall from henceforth be Adjudged reputed and taken as one of the Natureall borne people of this Province of Maryland and that he the said Joshua Guibert shall from henceforth by the same Authority be Enabled and adjudged to all intents and purposes able to demand Challenge haue hold and Enjoy any Lands Tenements rents or Hereditaments within this Province as heir or heires of any of their Ancestors by reason of any decent fee Simple fee Tayle Generall or Speciall Remainder of fee Tayle Generall or Speciall or Remainder vpon any Estate Taile as aforesaid or by any other Lawfull Conveyance or Conveyances or meanes whatsoever as if hee had been borne within this Province or were of Brittish or Irish descent as aforesaid And alsoe that hee the said Joshua Guibert from henceforth may and shall be Enabled to prosecute maintaine and Avow Justify and

defend all manner of accōns Suites plaints or other demands whatsoever as Liberrally franckly and freely fully Lawfully and securely as if he had been Natureally borne within this Province of Maryland or were of Brittish or Irish descent may any wayes Lawfully doe any Law provisoe Act or Custome of this Province or other thing whatsoever had made ordeined or done within this Province to the Contrary thereof in any wayes Notwithstanding— Liber W. H. & L.

To the Right Hon^ble^ the Lord Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &^ca^

The humble Peticon of James Peane Magdelen his wife Anne Peane his daughter and Jacob Lookerman humbly Sheweth

That your Petitioners James & Magdelen were borne in france and your Peticoner Jacob Lookerman was born in new Yorke vnder the Iurisdiccōn of the States of Holland and being now Removed into this Province have for divers yeares therein Inhabited being invited to Come and dwell within this Province by and vppon Confidence of your Lordshipps fathers Declaracōn of the second of July 1649 whereby your Lordships said father did impower his Governour from time to time to grant lands vnto any person French Dutch Spanish or any other forreigne descent in the same & in as ample Manner and vppon the same Tearmes and Provisoes as he was thereby Impowered to grant land to any person or persons of Brittish or Irish discent And dureing their said abode they have been alwayes faithfull and obedient to your Lordships Lawes, Yett for that your Petic^rs^ are not of Brittish or Irish discent they Cannott take the benefitt of the Customes & Lawes of this Province as other the people of this Province of Brittish & Irish discent may to their great losse prejudice and hinderance as alsoe of the Deterring of divers others of the same forreigne Nations aforesaid from Comeing into this Province and by Consequence foreslowing the Peopling of this Province with vsefull handycraftsmen & Artificers May itt therefore please Your Lordship of your abundant goodness & wonted Care of and over this Province that itt may be Enacted and ordeined by your Lordship And bee itt Enacted and Ordeined by the Lord Prop^ry^ of this Province by and with the advice and Consent of the upper and lower house of this present Generall Assembly That your Lordships humble Peticōners James Peane and Magdelen his wife Anne Peane his daughter and Jacob Lookerman they and each of them shall from henceforth be adjudged reputed and taken as naturall borne people of this Province of Maryland and that they and each of them shall from p. 158

Liber W. H. & L. henceforth by the same Authority be Enabled and adjudged to all intents and Purposes able to demand Challenge have hold and Enjoy any Lands Tenements Rents or Hereditaments within this Province as heyre or heyres to any of their Ancestors by reason of any descent fee simple fee tayle Generall or Speciall or Remainder vpon any fee tayle Generall or Speciall or Remainder vpon any Estate Tayle as aforesaid or by any other Lawfull Conveyance or Conveyances or meanes whatsoever as if they and each of them had been borne within this Province or were of Brittish or Irish descent as aforesaid and alsoe that they and each of them from henceforth may and shall be enabled to prosecute maintaine and avow Justifie and defend all manner of accōns Suites plaintes or other demands whatsoever as Liberally franckly and freely fully Lawfully and securely as if they & each of them had been natureally borne within this Province of Maryland or were of Brittish or Irish descent may any wayes Lawfully doe any Law Provisoe Act or Custome of this Province or other thing whatsoever had made ordained or done within this Province to the Contrary thereof in any wise notwithstanding

p. 159 To the Right Hon^ble^ the Lord Proprietary in the Upper & lower house of Assembly—

The humble Petition of Mary Ward Executrix of the Last will and Testament of Mathew Ward deceased—

Sheweth

That George Beckwith and Frances his wife being Seized in Right of the said Frances in their Demesne as of fee of a Certain Plantacōn lyeing on the south side of Petuxent River Called the further Neck late in the tenure or occupacōn of Henry Keene deceased Containing by Estimacōn one hundred Acres Did about Eleven yeares since for a valuable Consideracōn to them paid by Christopher Rousby William Traverse & Francis Swanston by Deed duely Executed vnder their hands and Seales Grant & Convey the said plantacōn with the appurtenances to them the said Christopher William & Francis and their heires forever by vertue whereof they became Joyntly seized thereof & being soe seized the said William Traverse and Francis Swanston did by their Deed vnder their hands and Seales Release all their Right Title and Interest in and to the Said Plantacōn to the said Christopher Rousby by vertue whereof the said Christopher became solely seized thereof And being soe seized did in the yeare of our Lord 1670 for and in Consideracōn of the sume of twelve thousand pounds of Tobacco secured to be paid to the said

Christopher by the said Thomas Carleton Contract bargain Liber W. H. & L.
and agree with the said Thomas Carleton to make seale and deliver vnto him the said Thomas a good and Sufficient Deed or Conveyance of the said plantacōn or parcell of Land and premisses To have and to hold to him the said Thomas Carleton and his heires for ever And the said Christopher Rousby did att the same time deliver vnto the said Thomas Carleton the said Originall Deed from Beckwith and his wife to him the said Christopher Rousby William Traverse and Francis Swanston and the said Release from the said Traverse & Swanston to the said Rousby And the said Thomas Carleton had possession of the said Plantacōn and premisses therevppon delivered by him the said Christopher to him the said Thomas Carleton, And the said Thomas Carleton did afterwards in the yeare 1671 in Consideracōn of the sume of tenn thousand pounds of Tobacco to him paid in hand by Mathew Ward Gentleman Covenant grant and agree to and with the said Mathew Ward then after to sell assigne and sett over vnto the said Mathew Ward his heires and assignes for ever the said Plantacōn & premisses aforesaid free from all Incumbrances and putt the said Mathew in the full & peaceable possession thereof. By vertue whereof the said Mathew Ward became possessed thereof and to the Equitable Right in and to the same in fee Simple Butt before such Deeds and assureances thereof as aforesaid were made he the said Thomas Carleton dyed leaveing an Infant heire And the said p. 160
Originall Deed from Beckwith & the said Release from the said Traverse & Swanston to the said Rousby And the Deed from the said Rousby to the said Carleton Are all lost soe that there is noe possibility to make your Peticōner any Estate of the premises which are by the said Mathew Ward by his last will and Testament Devised to your Petitioner and her heires without the Assistance of your Honors by an Act of Assembly thereby to Enable her to dispose of the same for payment of her husbands debts and perticularly of the sume of three thousand pounds of Tobacco which is still Remaining behind and vnpaid of the Purchase money from the said Carleton to him the said Rousby which she is Content to pay That the wittnesses to proue the premisses are the said Christopher Rousby and Robert Carvile two of the members of the Lower house of Assembly—

Your Peticōner therefore humbly prayes that itt may be Enacted And Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by and with the aduice and Consent of the upper and lower houses of this present Generall Assembly & the Authority of the same That the said Mary Ward paying vnto the said Christopher Rousby the said sume of three thousand

Liber W. H. & L. pounds of Tobacco due as aforesaid shall and may And is by this present Act Enabled to hold & Enjoy the said plantacōn & premisses aforesaid Called further Neck with their Appurtenances to her & her heires for ever against all manner of persons whatsoever Clayming by from or vnder the said George Beckwith & Frances his wife Thomas Carleton & Christopher Rousby or any of them their heires Executors & Administrators—

An Act for Reviveing and Confirmeing certain Lawes of this Province

Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by & with the advice & Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same that one Act made att a Generall Assembly begun the Seventeenth of Aprill one thousand six hundred sixty & one Entituled an Act for the appointing Certain officers (excepting the last Clause which is not to be Revived) one other Act made att the same Assembly Entituled an act Concerning the height of fences, one other Act made att the same Assembly entituled an Act for Conveyance of all letters concerning the State and Publick affaires one other Act made att a Generall Assembly held att S^t^ Maryes the first day of Aprill 1662 entituled an act Concerning Indians one other Act made att a Generall Assembly held att S^t^ Maryes the fifteenth of September in the yeare one thousand six hundred sixty and three and there Continued till the Third of October following and then adjourned till the fourth of September in the yeare one thousand six hundred Sixty and four Entituled An Act prohibitting Arrests
p. 161 vpon the Sabboth dayes and Dayes of Generall Musters and Traynings one other Act made att the same Assembly entituled An Act for the Amerciaments in the Provinciall and County Courtes one other Act made att the same Assembly Entituled an Act Concerning proceedings att Law these words (soe farr as the Court shall Judge them not inconsistant with the Condicōn of this Province) which are not to stand Revived one other Act made att a Generall Assembly begun Aprill the Tenth in the year one thousand six hundred Sixty and six Entituled an Act prohibitting Trade with Indians for any flesh dead or alive Except Deere and wild fowle one other Act made att the same Assembly entituled an Act prohibitting forreigne Ingrossers one other Act made att a Generall Assembly held att S^t^ Maryes the thirteenth of Aprill in the yeare one thousand Six hundred Sixty and Nyne entituled an Act for Limitacōn of Certain accōns for avoyding Suites att Law

one other Act made att the same Assembly Entituled an act for provideing of Sufficient fraight and Carriage for the propper goods and Comodityes of his Lordship the Lord Proprietary of this Province and of the Gouernour of this Province for the time being one other Act made att the same Assembly Entituled an Act Limitting the Extent of Attachments and provideing what shall be Leavyed by Attachments and Execucōns one other act made att the same Assembly Entituled An Act provideing what shall be good Evidence to prove forreigne debts one other Act made att the same Assembly entitul'd an act for incouragement of such persons as will vndertake to build water mills Except the last provisoe which is not to stand Revived one other act made att a Generall Assembly begun the seven & twentieth day of March in the yeare one thousand six hundred seventy & one Entituled an act against Divulgers of false news one other Act made att the same Assembly Entituled an Act against Hoggstealers Another Act made att the same Assembly entituled An Act for provideing a Standard with English weights and measures in the severall & Respective Countyes within this Province one other Act made att the same Assembly Entituled An Act prohibiting the importacōn of all horses Geldings mares or Colts into this Province one other Act of Assembly made att a Generall Assembly held att S^t^ Maryes the tenth day of October in the yeare one thousand six hundred seventy & one Entituled an Act for marking high wayes and makeing the heads of Rivers Creekes Branches & Swampes passable for horse and foot one other Act made att the same Assembly Entituled an Act for stay of Executions after Aprill Court one other Act made att the same Assembly Entituled an act for killing of wolves one other Act of Assembly made the thirteenth of Aprill 1674 Entituled an Act Concerning the Impanelling the grand Enquest in the severall Countyes within this Province one other Act made att the same Assembly Entituled An Act for the Surveyo^r^ Gen^r^alls fees with addiccōn of fees vpon Resurveys & for Leavying the same one other Act made att the same Assembly Entituled An Act for the payment of fees due from Criminall persons one other Act made att the same Assembly entituled an Act for Limitting accōns against the Surveyor Generall of this Province one other Act made att the same Assembly Entituled an Act concerning those Servants that have bastards one other Act made att the same Assembly Entituled an Act against burners of fences one other Act made att the same Assembly Entituled An Act Concerning Taxable persons one other Act made att the same Assembly Entituled an Act prohibitting all masters of shipps or vessells or any other person from Transporting or Conveying away any person or persons out of this Province

Liber W. H. & L.

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Liber W. H. & L. without passes one other Act made att a Generall Assembly the twelfth day of February one thousand six hundred seventy and four Entituled an Act Concerning what shall be allowed to grand Juryes that are Summoned twice a yeare out of the body of the Province to attend Provinciall Courtes one Act made att a Generall Assembly the fifteenth of May in the yeare one thousand six hundred seventy & six Entituled An Act for secureing Marchants and others Tobacco after they haue Received itt one other Act made att the same Assembly Entituled An Act Relateing to the Seizure of Tobacco by the sherriffe one other Act made att the same Assembly Entituled an Act for Publicacōn of Marriages one other Act made att the same Assembly Entituled an Act Relateing to Servants and Slaues to stand Revived with addicōn of these words following after these words (that noe Servant or servants within this Province) shall be added to these words (whether by Indenture or according to the Custome of the Countrey or hired for wages) in the first Paragraph in the second Paragraph instead of those words (that any servant or servants whatsoever vnlawfully absenting &ca) it shall be sayd (any such servant or servants as aforesaid) in the same Paragraph in stead of these words (where the owner of such servant or servants shall live) shall be said (where the owner Master or Mrs Dame or overseer of such servant shall live) one other Act made att the same Assembly Entituled An Act touching Coopers & the gage of Tobacco hhds one other Act made att the same Assembly Entituled an Act for the Easements of the Inhabitants of this Province in suites att Law for small debts one other Act made att the same Assembly Entituled An Act for the Constables takeing the lists of Taxable one other Act made att the same Assembly Entituled an Act against the importacōn of Convicted persons into this Province & one other Act of Assembly made att the same Assembly Entituled An Act for secureing Creditors the same Acts and every of them be and are hereby revived and Confirmed to stand in full force & vertue for and dureing the Terme of three yeares or to the end of the next Generall Sessions of Assembly which shall first happen And be itt further Enacted by the Authority aforesaid That The
p. 163 Act for Naturalizacōn of John Delemair and others omitted out of the Act for Ascertaining what Lawes are in force within this Province doe Stand in full force And that one Act made att a Generall Assembly the fifteenth day of May in the yeare one thousand six hundred seventy and six entituled an Act for the Continueing the payment of two shillings p hoggshed dureing the life of the Honble Cæcilius Calvert Esqr Sonn & heire of the Right Honble Charles Absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baltemore &ca in Case he

survive his Lordship one other Act made att the same Assembly Liber W. H. & L.
Concerning the will of Leivt John Jarboe one other Act made att the same Assembly Entituled An Act for settling the Inheritance of the Reall Estate of Robert Cager as alsoe his personall estate to the Major Recorder Aldermen & Comon Councill of the Citty of St Maryes and their Successors to the vses in the said Robert Cagers will mencōned one other Act made att the same Assembly for Limitacōn of officers fees one other Act made att the same Assembly Entituled an Act for punishing a Certain abuse comitted by Henry Ward of Cæcill County Gentleman against the Right Honble the Lord Propry and the Publick one other Act made att the same Assembly entituled An Act for Repeale of Certain Lawes and alsoe for Ascertaining what Lawes are of force within this Province (Except such Acts as by an Act made this Assembly Entituled an Act for Repeale of Certain Lawes doe stand Repealed) And one other Act made att the same Assembly Entituled an Act for payment and assessing the Publick Charge of this Province be and are hereby Ratified and Confirmed to all intents and purposes according to the true intent and meaning thereof Provided that this Act or any thing therein Contained shall not be Construed or adjudged to give power or Liberty to any Sherriffe of this Province to take demand Exact or Receive of any person or persons whatsoever for any arrest of any person whatsoever being in his Custody one houre lesse then four and twenty houres above the sume of thirty five pounds of Tobacco vnder the penalty as in the Act thereof is Conteyned And for the better Explanacōn of that Act for officers fees Bee itt Enacted by the Authority aforesaid That for the future noe officer or officers in the said Act mencōned shall by vertue thereof Leavy any Execucōn vppon the goods or body of any person whatsoever for any fees in the said Act mentioned without first delivering a true & Just accompt of the fees aforesaid vnder the hand or hands of such officer or officers to the person or persons from whom such fees are Demanded And if any officer or officers shall Charge any fees for any matter or thing where the said persons never had or Received the same or shall doe any Matter or thing Contrary directly or indirectly to the intent & meaning of the said Act shall loose and forfeit as in the same Act is already Provided This Act endure for three p. 164
yeares or to the end of the next Generall Assembly which shall first happen

An Act for Repeale of Certain Lawes—

Bee itt Enacted by the Right Honble the Lord Proprietary by and with the advice and Consent of the upper and lower

Liber W. H. & L. houses of this present Gen^rall Assembly and the Authority of the same That these Acts bee and are hereby repealed viz^t one Act made att a Generall Assembly held att S^t Inagoes fort the second day of January 1646 Entituled an Act touching Judicature one Act made att an Assembly held the 4^th of March 1647 Entituled an Act touching Pagans one other Act made att an Assembly held Anno 1649 & 1650 Entituled an Act prohibitting the Transportacōn or Sale of his Lordships Ordinances Amunicōns goods Chattles &^ca one other Act made att the same Assembly Entituled an Act against Fugitives one other Act made att the same Assembly Entituled an Act touching hoggs and markeing Cattle one other Act made att a Generall Assembly Anno 1650 Entituled an Act Concerning the Registring of Births marriages and Burialls one other Act made att a Generall Assembly held Anno 1661 Concerning the killing of wild Cattle one other Act made att a Generall Assembly held Anno one thousand six hundred sixty two Entituled an Act Concerning proceedings att Law one other Act made att a Generall Assembly begun the fifteenth day of September Anno one thousand six hundred sixty three & adjourned to the second Tuesday in October Anno one thousand six hundred sixty four Entituled An Act imposeing a penalty on all such who shall dispose of Tobacco Received by the Sherriff or others an other Act made att the same Assembly Entituled An Act for the Explanacōn of a Clause of an Act Touching hoggs and markeing of Cattle one other Act made att an Assembly held att S^t Maryes the tenth of Aprill one thousand six hundred sixty six Entituled An Act impowering the Governour and Councill to make Warr or Peace with any Indian Enemy beyond the bounds of this Province An Act made att a Generall Assembly held the thirteenth day of Aprill Anno one thousand six hundred seventy and four Entituled an Act against Prophaneing the Sabbath day An other Act of Assembly made the fifteenth of May one thousand six hundred seventy and Six Entituled An Act for the Releife of Anne Cawood widdow and her Children one other Act made att the same Assembly Entituled An Act for the Provideing for the Security and defence of this Province An other Act made att the same Assembly Entituled An Act Concerning Ordinary Keepers one other Act made att the same Assembly Entituled An Act against Exportacōn of Corne An other Act made att the same Assembly Entituled An Act to prevent vnnecessary
p. 165 delayes of Execucōns one other Act made att the same Assembly Entituled An Act for the Reviveing of Certain Lawes within this Province—

An Act for payment and assessing the Publick Charges of this Province

Liber W. H. & L.

Whereas There hath been Eight hundred twenty five thousand Nyne hundred Seventy Nyne pounds of Tobacco Expended layd out & disbursed by severall of the Inhabitants of this Province in the late Expedicon against the Nanticoke Indians and other the necessary Charges of this Province which hath been Examined stated and allowed by the upper and lower houses of this present Generall Assembly To the intent therefore That the same may bee satisfyed and payd to those persons to whom the same is due Bee itt Enacted by the Right Hon^ble^ the Lord Proprietary by and with the advice and Consent of the upper and lower houses of this present Generall Assembly and the Authority of the same That the said Eight hundred twenty five thousand Nyne hundred Seventy Nyne pounds of Tobacco be paid in manner & forme as is hereafter Expressed by an Equall Assessment vppon the persons & Estates of the Inhabitants of this Province And be payd to the severall persons to whome the same is due as aforesaid Any Talbott County } Law Statute Custome or vseage to the Contrary thereof Notwithstanding— That is to say To Captain William Hemsley Sixteen hundred pounds of Tobacco To Thomas Collens six hundred pounds of Tobacco To Christopher wise four hundred pounds of Tobacco to John Guilbert four Hundred pounds of Tobacco To Thomas Wood four hundred pounds of Tobacco to William Dickysone four hundred pounds of Tobacco To William Jordane to Thomas Fuller To Francis Story, to William Chapton, to David Rogers To Thomas Yeomans To Thomas Roe To James Carzey, To Miles Johnson, to George Crouch, To William Naylor, To William Phillips to Edward Smith to William Perrey, To Richard Parnes, To Thomas Barnes, to John Jones To Thomas Cyvile To Francis Malden, To John Kenemon To William Gary three hundred pounds of Tobacco each, To Wenlock Christison Nine hundred pounds of Tobacco To M^r^ Phellemon Loyd Eight hundred and Eight pounds of Tobacco To James Wasse Nyne hundred pounds of Tobacco To Andrew Skinner to Thomas Taylor To John Tibalds To Edward Winckles To Bryan O Male and John Bannester Three hundred pounds of Tobacco each person To Leivtenant Thomas Alexander seven hundred pounds of Tobacco To Ensigne Nicholas Bartlett six hundred pounds of Tobacco To Richard Willice four hundred pounds of Tobacco To Robert Clarke four hundred pounds of Tobacco To Oliver Millingtone four hundred pounds of Tobacco To Richard Bailly four hundred lbs Tob. To Paul Howell to Nathaniell Teagle to John Swaysbury to Ambrose Cox To p. 166

Liber W. H. & L. Robert Harding to Edward Dalton To Joseph Payne To John Cooke to Samuell Write to John Paddisone To William More To Daniell Wheatly To Francis Harrison To Thomas Wallice To Joseph Williams To Thomas Browne To William Baxter To Peter De Borale and to Phillip Herbert Three hundred pounds of Tobacco Each To Mary Clements six hundred pounds of Tobacco To Samuell Hatton six hundred pounds of Tobacco To William Hansted to Mary Roe To Ralph Swift and ottwell Bodwell Three hundred pounds of Tobacco Each To Major William Coursey twelve hundred pounds of Tobacco To Ensigne Robert Ellice Six hundred pounds of Tobacco To George Corrall four hundred pounds of Tobacco To Andrew Price four hundred pounds of Tobacco To John Robbison four hundred pounds of Tobacco To William Mountegue To Christopher Denny To Phillip Denny To Bernard Powell To George Vandernort to Samuell Wright to William Gibson To Griffith Thomas To John Perle to George Bowell To Giles Williams To Cap[n] Pillemon Loyd for Edward Segar To Richard Webb To William Butler To Richard Jackson To John Blackburne To Thomas Sinns To William Taylor To Addam Browne To John Symmonds To Abraham Hitch To James Smith To Edward Thomlins To Thristram Thomas and Richard Stephens Three hundred pounds of Tobacco each man To Captain Peter Sayer two thousand five hundred pounds of Tobacco To Leivtenant William Combes sixteen hundred pounds of Tobacco To Cornett Thomas Vaughan fifteen hundred pounds of Tobacco To Henry Costyn Eight hundred pounds of Tobacco To John Mitchell seven hundred pounds of Tobacco To Thomas Emmersone seven hundred pounds of Tobacco To Nicholas Hackett seven hundred pounds of Tobacco to James Benson To David Vaux To Edward Winckles To William Tilghman to William Lawes To Walter Qunten to Symon Stevens To Thomas Heylins To Roger Summers To Michaell Russell To John Wickett To Richard Jones To John Stanly To William Rathborne To Clement Sales To John Holt To Thomas Birkett To John Hackett To Roger Gross To John Browne To Richard Taylor To Francis Rippington To Thomas Delahay To Christopher Goodstand to John Squire To John Higgs Richard Hasledone to John Lane To Humphrey Davies To John Moody & to Giles Higgs & each & every of them six hundred pounds of Tobacco To Thomas Smithson Nyneteen hundred seventy four pounds of Tobacco To William Crosse fourteen hundred fifty four pounds of Tobacco To Anthony Maile one hundred Sixty two lbs. Tob. To Thomas Vaughan one hundred forty four[1] Tob. To Denis Hopkins Three hundred pounds of Tobacco
p. 167 To George Read one hundred twenty four[1] Tob. To Jacob

Francis one hundred and fourteen lb Tob. To Richard White one hundred thirty six pounds of Tobacco To William Rexly one hundred Nynty two ls Tob to Cornelius Molreyne Nyne hundred & twenty ls Tob. To Charles Gorsuch one hundred and fifty pounds of Tobacco To Capn George Cowly two hundred & twenty ls Tob. To Howell Powell Two hundred & Nynty ls Tob. To John Dickyson two hundred lb Tobacco To John Pitt Eight hundred sixty six lbs Tob. To Saml Hatton Three hundred forty two pounds Tob. To Lovelace Gorsuch one hundred seventy lbs Tob. To Attwell Bottwell Eighty lbs Tob to William Sharp one hundred & Sixteen lbs Tob To Saml Abbott one hundred & twenty lbs Tob To the widdow Roe two hundred & four ls Tob. To Mr William Coombes two hundred & four bs Tob To Robert Harding Eighty pounds of Tobacco To Timothy Guthridge one hundred forty Eight lbs Tob. To George Allumby sixty Nyne lbs Tob. To Thomas Alexander Eighty six lbs Tob. To Edward Man five hundred & twenty lbs Tob. To Henry Wolchurch four hundred Nynty two pounds of Tobacco To Henry Alexander two hundred thirty four ls Tob. To William Berry Two hundred & six lbs Tob To Thomas Taylor Three hundred forty four pounds of Tob. To Nicholas Turner fifteen lbs. Tob. To Stephen Durden fifteen lbs Tob. To William Crosse fifteen lbs Tob. To William Parrott sixty seven lbs Tob. To George Parrott fifty lbs Tob. To Thomas Baggs forty five lbs Tob. To John Wotters Nynty two lbs Tob. To Robert Parrish one hundred & two lbs Tob. To Richard Dudley one hundred & two lbs Tob. To John Jadwin one hundred thirty Eight lbs Tob To George Robbotham two hundred & one lbs Tobacco. To Henry Parrott one hundred & three lbs Tob To William Southerby one hundred & Eight lbs Tob. To William Stockwell Twenty lbs Tob. To Thomas Milsone Eleven lbs Tob. To Henry Wilkinson Eleven lbs Tob. To Richard Hall Eighty two lbs Tob. To William Calthrop Ninteen lbs Tob. To Henry Bowen seven lbs Tob. To Thomas Lodgings fourteen lbs Tob To John Whittington Nynty lbs. Tob. To John Barker Nynty lbs. Tobacco To William Trough one hundred Thirty seven lbs Tob To Richard Girling four hundred & Tenn lbs Tob. To Mr Robert Ridgeley Eighteen hundred Sixty Eight lbs Tob. To Mary Clements sixty Eight pds of Tob. To Willm Eagle fifteen ls Tob To Nicho: Bartlett fifteen lbs Tob. To Timothy Goodridge twenty one lbs Tob. To John Pitt Three hundred & Eighty lbs. Tob. To Michaell Baker one hundred & Eighty lbs Tob. To John Groves one hundred & Eighty lbs Tob. To John Hammon Three hundred lbs Tob. To William Serle one hundred & tenn lbs Tobacco To John Glover one hundred & Eighty lbs. Tobacco To John Brettaine one hundred & fifty lbs Tob To John Lucas one hundred &

Liber W. H. & L.

Liber W. H. & L. seventy lbs Tob. To Joseph Horne one hundred & forty lbs Tob. To John Patrick one hundred & forty lbs Tob. To Joseph Maxfield Thirty lbs Tob. To Edward Granger Thirty lbs Tob. To William Emmery fifty lbs Tob. To Rowland Robsone Thirty lbs. Tob. To John Price Thirty lbs. Tob. To Thomas Vaughan plant' one hundred & twenty lbs Tob. To John Molder one hundred & twenty lbs Tob. To John Youngman one hundred & tenn lbs Tob. To William Wintersell Eighty
p. 168 lbs Tob. To James Saxfield Eighty pounds of Tobacco To John Thomas Eighty lbs Tob. To Richard Gold Nynety pounds of Tobacco To Robert Goldsborough one hundred and Nynty lb Tobacco To Thomas Heathred deducting one hundred pounds of Tobacco for a sword and belt three hundred & Sixty lbs. Tob. To John Stocker Nynty pounds of Tobacco To John Wells Nynty pounds of Tobacco To William Whitson Sixty lbs Tob To John Edmundson Eight thousand three hundred Nynty four pounds of Tobacco To Thomas Martin sixteen hundred sixty four pounds of Tobacco To William Webb one hundred and Eighty pounds of Tobacco To George Robbins three thousand one hundred & sixty pounds of Tobacco To Richard Royston two thousand Nyne hundred Nynty one pounds of Tobacco To James Sedgwick fifteen hundred pounds of Tobacco To Roger Summers twelve hundred pounds of Tobacco To Nathaniell Tucker two hundred pounds of Tobacco To Roger Wheedle one hundred and four pounds of Tobacco To John Johnson twenty six pounds of Tobacco to Thomas Jones one hundred thirty five pounds of Tobacco To Richard Merix two hundred & Eight pounds of Tobacco To Nicholas Broadway fifty six pounds of Tobacco To John Madbury one hundred twenty four pounds of Tobacco To Walter Dickysone Three hundred and twenty pounds of Tobacco To Mathew Smith one hundred & Eight lbs Tob. To John Sergeant Eighty Nyne pounds of Tobacco To George Powell fifty pounds of Tobacco To Mistriss Tilghman Nynty lbs Tob. To Thristram Thomas Eighty five pounds of Tobacco To Andrew Price seventy two lb. Tob. To Major Coursey Twenty lb Tob. To Walter Redhale twenty lb. Tob. To Thomas Jones Twenty lb. Tobacco To Robert Landmans Seventy pounds of Tobacco To Richard Collens Nynty one pounds of Tob. To Robert Knap one hundred sixty nyne pounds of Tobacco To William Gascoigne sixty one pounds of Tobacco To William Jones one hundred seventy one lb. Tob. To Ralph Nixon Nynty two pounds of Tobacco To John Numan one hundred forty Eight pounds of Tobacco To Ralph ffishborne two hundred & seventeen pounds of Tobacco To Robert Fuller sixty four pounds of Tobacco To Richard Gold two hundred & thirty lb. Tob. To Ralph Elton one hundred & Six lb. Tob. To John Hollingsworth sixteene lb

Tob To Ralph Dawson Thirty pounds of Tob. To Curtbert Phelps fifteen pounds of Tobacco To John Cooper Thirteen lb. Tob. To Henry Clay tenn lb. Tob. To William Taylor Thirty lb Tob. To Andrew Skinner two hundred forty Eight pounds Tob. To Thomas Furby one hundred & Eleven lb. Tob. To John Watkins fifty six pounds of Tobacco To Thom: Collins thirteen lb Tob. To W^{m} Jones Nynteen lb. Tob. To Francis Brooke twenty six pounds of Tobacco To James Scott two hundred seventy Eight pounds of Tobacco To William Tharpes fifty three pounds of Tob. To W^{m} Gary one hundred & twenty pounds of Tobacco To Abraham Bishopp sixteen pounds of Tobacco to John Kenemon one hundred Eighty seven pounds of Tobacco To Richard Wolman one hundred fifty two lb. Tob. To Joseph Moseley one hundred pounds of Tobacco To Andrew Hambleton one hundred pounds of Tobacco To Josiah Crouch sixty Eight pounds of Tobacco To Robert Nobles two hundred forty Nyne pounds of Tob. To Symon Stevens two hundred & Eighty p^{ds} Tob. To Moses Harris one hundred and fifty two pounds of Tobacco To William Lawes Thirty two pounds of Tobacco To Thomas Stevernson one hundred and Three pounds Tobacco To Thomas Emmerson forty pounds of Tobacco To Thomas Yeovill one hundred forty two pounds Tob. To Peter Sides Three hundred fifty one lb Tob. To John Green one hundred & sixty pounds Tob to W^{m} Young one hundred & forty pounds Tobacco To David Johnson one hundred Sixty Eight pounds Tob. To John Dames one hundred & Eight pounds of Tobacco To John Emmerson one hundred & Eleven lb. Tob. To Phillip Stephenson one hundred & Sixteen lb Tob. To John Green one hundred and Eleven ^{lb} Tob. To Edward Winckles one hundred Nynty two pounds of Tobacco To Leonard Daniell twenty Nyne pounds of Tobacco To John Aldridge fifty lb. Tobacco To Edward Stephens one hundred Eighty one pounds of Tobacco to Jonas Davies one hundred pounds of Tobacco To Nicholas Clash one hundred pounds of Tobacco To Stephen Clowbells one hundred lb Tob. To William Finney forty pounds of Tobacco To George Watts Eight hundred Nynty six pounds of Tobacco To Cap^{n} Peter Sawyer Three hundred fifty five pounds of Tobacco To Richard Carter fifty pounds of Tobacco To Wenlock Christysone one hundred and forty To Cap^{n} Davenport one thousand seven hundred & twenty pounds of Tobacco To John Poore six hundred pounds of Tobacco to William Gascoyne four hundred pounds of Tobacco To Robert Knapp four hundred pounds of Tobacco To Peter Haddaway four hundred pounds of Tobacco To Thomas Wilson four hundred pounds of Tobacco To Cuthbert Phelps four hundred pounds of Tobacco To John Whittwell four hundred pounds of Tobacco To John Nicholson To

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Liber W. H. & L. David Fairebanck To John Hunt To John Johnson to John Purcell to John Games To John Slater To John Cuff To John Steward To John Mackfarling To Timothy Monsieur To Samuell Taylour To James Wilson To Richard Bachy To Abraham Hart To William Coxall To Thomas Bridges To Richard Bridges to Edward Banning To Thomas Saunders To George Haddaway to Darby Phelps To Edmund Webb To William Webb To Robert Miles to Michaell Sturne To Rice James To Robert Devonish To Samuell Randle to Edward Kitchenner To Hugh Downing To Richard Meekins To Richard Shelvingtone To William Turke To Thomas Mawman To Thomas Jones To Thomas Peterson To Robert Markehorne To William Vincent To John Walner to Edward Fuller & to Robert Fortune to each & every of them three hundred
p. 170 pounds of Tobacco, To Leivtenant Thomas Coulton Eight hundred pounds of Tobacco To Richard White four Hundred pounds of Tobacco To Cornelius Molreyne four hundred pounds of Tobacco To Lewis Nowell To Edward Bell To W^m^ Day to Edward Johnson To George Watts Junior To Patrick Mackdowell To John Venner To John Younger And To David Wattson Three hundred pounds of Tobacco each To William Eagle To George Hard To John Gardner To Benjamin Forby To William Before To David Rutty to William Trayman To John Wiggens To Charles Grindy To Henry Parker To William Freeland To Steven Pegg & to George Bayly and each & every of them Three hundred pounds of Tobacco To Thomas Anderson four hundred pounds of Tobacco To Richard Gold two hundred and forty pounds of Tobacco To Co^ll^ Henry Coursey Three thousand pounds of Tobacco To Co^ll^ Vincent Low two hundred forty five pounds of Tobacco To James Coursey twelve hundred pounds of Tobacco—

Dorchester County To Cap^n^ Thomas Taylor Nynteen hundred pounds Tob. To Leiv^t^ John Ross sixteen hundred pounds of Tobacco To Cornett Maurice Mathews fifteen hundred pounds of Tobacco To John Brooke seventeen hundred & fifty pounds of Tobacco To W^m^ Haslewood Eight Hundred pounds of Tobacco To William Willoughby seven hundred pounds of Tobacco To William Betts seven hundred pounds of Tobacco To John Alford To Robert Thornhill To John Thomas To John Nicholas To William Robsone To James Moseley To Richard Gallehaugh To Richard Tubman To Rowland Morgan To Phillip Aherne To John Pope To John Savage To Thomas Bowman To John Fish To Jonathan Waite & John Wallice To James Egg To John Richardson To Lewis Griffith James Dalton To henry Johnson To James Fielding To Robert Evans Charles Hutchyson To John Hudson To John Curtice & to John Causey & every & each of them six hundred pounds of

Tobacco To Cap[n] Henry Tripp one thousand pounds of Tobacco To Leivten[t] Edward Taylor seven hundred [lb] Tob. To Ensigne Edward Pander six hundred [lb] Tob. To Francis Tarcell four hundred pounds of Tobacco To Richard Owen four hundred pounds of Tobacco To William Law four hundred lb Tob. To Thomas Veitch four hundred pounds Tob. To John Plummer Three hundred lb Tob. To Lawrence Woodnett four hundred lb Tob. W[m] Watson To Mathew Hood To John Denaire To Marke Mitchell Samuell Finch John Snooke To James Nowell To Phillip Gunter To Thomas Taylor David Fortune To Edward Cheeke to John Lawrence To William Marchant To Stephen Pardue To Joseph Casteen To Thomas Collens To Charles Morgan To Richard Tucker To Andrew Pruett To Alexander Dowell To William Spurraway To George Sprouce To Cornelius Lurden To Patrick Harwood To W[m] Walker To Alexander Fisher To Henry Plummer To W[m] Cheseman To Thomas Cloughtane To John Foord and To John Yate and To every & each of them Three hundred pounds of Tobacco To Captain Anthony Dawson Thirteen hundred pounds of Tobacco To Leivtenant John Mackeele Seven hundred pounds of Tobacco To Ensigne John Dawsey six hundred pounds of Tobacco To Edward Hide four hundred pounds of Tobacco To W[m] Plovey four hundred pounds of Tob. To Corporall Lewis four hundred pounds of Tobacco To James Harle four hundred pounds of Tobacco To Thomas Symmonds four hundred pounds of Tobacco To Edward Newton To John Newton To John Waterly To Thomas Phillips To William Evans To George Hargissone To Rowland Vaughan To Phillip Sutton To Henry Harvy To James Duell To John Pollington To William Beard To John Lunn To James Perle To Henry Newbee To William Tapticoe To William Berry To John Clarke To Robert Robertsone To Stephen Bently To William Messheir To Thomas Long To William Hares To Richard Thomasine To Francis Floyd To Darby Cohoone To William Mills To Joseph Reeve To John Stammard To Richard Dudson & John People And to each & every of them Three hundred pounds of Tobacco To Bartholomew Ennalls six thousand Eight Hundred Thirty two pounds of Tobacco To Henry Bradly Eighteen hundred and thirty pounds of Tobacco To Daniell Jones one hundred & fifty pounds of Tobacco To John Kirke Eight hundred Nynty five pounds of Tob. To James Peterkin fifty pounds of Tobacco To John Peirson fifty pounds of Tobacco To Oliver Gary four hundred sixty four pounds of Tobacco To W[m] Robsone fifty pounds of Tobacco To Richard Holland four hundred pounds of Tobacco To John Hudsone twelve hundred and thirty lb. Tob. To Henry Beckwith fifty pounds of Tobacco To Stephen Gary Eighty five lb. Tob To W[m]

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Liber W. H. & L. Stevens seven hundred thirty one lb. Tob. To W^m^ Dorrington five hundred seventy Nyne pounds of Tob. To Daniell Jones four hundred and seven lb. Tob. To John Richardsone twenty five pounds Tob. To John Steward Three hundred & seventy lb Tob. To John Davies seventy lb Tob. To William Daysone seventy pounds of Tobacco To W^m^ Willoughby Three hundred pounds of Tob. To Thomas Flowers two hundred pounds of Tobacco To Henry Turner two hundred pounds of Tobacco To Raymond Staplefort Three hundred pound of Tobacco To Francis Tarcell two hundred pounds of Tobacco—

p. 172 Kent County To Major James Ringold twelve hundred pounds of Tobacco To Leivtenant Thomas Warren seven hundred pounds of Tobacco To Ensigne Nathaniell Evetts Six hundred pounds of Tobacco To Robert Griffith four hundred pounds of Tobacco To John Hussey four hundred pounds of Tobacco To Patrick Sextone four hundred pounds of Tobacco To Bernard Smith four hundred pounds Tob To Francis Commings four hundred pounds of Tobacco To Mathew Smith four Hundred pounds of Tobacco To John Dobbs To William Brents To John Peck To William Crochec To John Pey To William Lee To Charles Holbrone To William Pickett To James Wildgoose To James Balberston To John Bucker To John Weighburne to John Robensone To Thomas Thexton To Major Weekes for Henry Lancaster To William Later To Robert White To Edward Edwardson To Robert Foreman To Henry Crabb To John Abraham To Edward Hanman To William Anderson To Isaack Gibsone To Andrew Vrswood To Nathaniell Drisfeild To Morgan Jones To Robert Perke To Aron Harnesone To Andrew Cornelius To Richard Theames To Cornelius Commagis To John Addisone To Robert Johns To Stephen Soames To John Peircefall To Thomas Wilson To Thomas More To George Browne To Rice Jones To John Davice to Hance Rosmondson To Walter Smith To William North To Edward Winchough To Richard Hill To W^m^ Vaughan To Patrick Maccormeck To William Scrivan To John Porter to Thomas Popely To Edward Okeley To William Segarr To George Ardice To Christopher Granger To Roger Gill To John Chandler To Edward James To Joseph Everett To John Moss To William Collens To Edward Felton To Curtice Long To John Lewis To John Patrick To John Neck and to each and every of them Three hundred pounds of Tob. To Major James Ringold Eight hundred twenty five pounds Tob. To Thomas Yate four hundred Eighty Eight pounds of Tobacco To Edward Sweatnam fourteen hundred and five pounds Tob. To Nathaniell Evetts sixty pounds of Tob. To John Hinson Three hundred and fourteen p^ds^ Tob. To Thomas Marsh five hundred lb Tob.

Cæcill County } To Leivtent Richard Edmonds two hundred & twenty pounds of Tobacco To Corporall Jeffry Peterson sixty pounds of Tobacco To Robert Money To William Davies To John Larke To Hance Markenson To Henry Shelldrake To John May To Thomas Belshaw To Mathias Matsone To Dennis Vmbress To John Turner To John Fossett To Alexander Sherriffe To Peter Cole To Andrew Tarling To John Demboe And to each & every of them fifty pounds of Tobacco To Mr James Frisby four hundred & fifty lbs Tob To Henry Ward one hundred & fifty pounds of Tobacco To William Peirce Eighty pounds of Tobacco To Capn Jonathan Sybrey one thousand Eight hundred sixty & Six pounds of Tobacco— Liber W. H. & L. p. 173

Baltemore County To Robert Husbands two hundred & twenty pounds of Tobacco To Capn John Stansby one hundred twenty Nine pounds of Tobacco To Leivt William Wallice nynty nine pounds of Tobacco To Cornett John Walton Nynty pounds of Tobacco To Thomas Preston To Rowland Thornebridge To John Arden sixty nyne pounds of Tobacco each To David Jones two hundred thirty four lbs Tob. To James Phillips Eighty pounds of Tob To William Talbott Sixty pounds of Tobacco To Thomas Smith forty pounds of Tob. To Nicholas Hempsone sixty pounds of Tobacco To William Orsborne forty lbs Tob. To Daniell Macky forty pounds of Tobacco To John Cooke twenty pounds of Tob. To George Gunnell Eighty pounds of Tob. To Richard Sampson one hundred and Eighty pounds of Tobacco To Ralph Girth one hundred & Eighty pounds of Tob. To John Parsons one hundred & Eighty pounds Tob. To Thomas Marshall one hundred & Eighty lb Tob. To Thomas James one hundred & Eighty pounds of Tob. To John Walston forty pounds of Tobacco To Wm Coram twenty six pounds of Tobacco To John Clevers twenty six pounds of Tobacco To Robert Jones Laurence Taylor To Jacob Browing To Edward Beedle To Thomas Lowe To John Leonard To Robert Jones Junior To John Evans To Daniell Peverall To Capn Haslewood and to Miles Jude And to every and each of them twenty pounds of Tobacco To Leivtenant Boaring one hundred sixty nyne pounds of Tobacco To Ensigne Watkins one hundred and forty pounds of Tobacco To Sargeant Parsons one hundred pounds of Tobacco To Nicholas Ruxtone seventy lbs Tob. To Christopher Andrews Thirty pounds of Tobacco To Thomas Browne Thirty pounds of Tobacco To Thomas Marshall Thirty pounds of Tob. To John Carrington Thirty lbs Tob. To Richard Sampsone forty pounds of Tobbacco To Christopher Haw Thirty lbs Tob. To Edward Rowledge Thirty pounds of Tobacco To Samuell Greenwood seventy lb Tob. To John Diamond Thirty lbs Tob. To Wm Ball

Liber W. H. & L. thirty lb. Tob. To John Woodfind seventy lbs Tob To Rich[d] Sadd seventy lbs Tob. To Phillip Steptowe seventy lb. Tob To Rich[d] Yardnall Thirty lb Tob. To Giles Houswife Thirty lb. Tob To W[m] Dammit Thirty lbs Tob. To W[m] Davies Thirty lb Tob. To Jn[o] Kemp three hundred & twenty lbs Tob To Henry Miridy to W[m] Cromwell to W[m] Ransome to Rob[t] Stiles to Rob[t] Castle to Christ: Randall to Rob[t] Champ To Jonas Boyne To Thomas Morrice To Dodman Sternbrough & to
p. 174 Lewis Barton And Every and each of them forty pounds of Tobacco To James Mills Three Thousand five hundred and fifteene pounds of Tobacco To Co[ll] George Wells two hundred pounds of Tobacco—

Ann Arundell County. To Thomas Francis Sixty pounds of Tobacco To Robert Francklin one hundred & Sixty pounds of Tobacco To Thomas Foord one hundred & forty pounds of Tobacco To M[r] George Yate forty [lb] Tob. To M[r] Greenberry Eighty [lb] Tob To Edward Burges Eighty pounds of Tobacco To Mareen Duvall Eighty [lb] Tob To John Gather Eighty [lb] Tobacco To Gabriell Parrott Eighty [lb] Tob. To Ferdinand Batty one hundred & twenty lb. Tob. To Andrew Robyson one hundred & Eighty lb Tob. To John Watkins Eighty lb. Tob. To Richard Cheyney forty [lb] Tob. To John Waters one hundred & twenty [lb] Tob. To Anthony Holland Eighty lb. Tob. To George Holland forty lbs. Tob. To John Worthington one hundred and twenty pounds of Tobacco To William Alcock To Thomas Pratt To John Sallers To Walter Carr To Thomas Dawburne each one hundred & twenty lb. Tob. To Thomas Lunn one hundred and Sixty pounds of Tobacco To Thomas Jackson one hundred and twenty lb. Tob To Edward Mason forty pounds of Tob: To Mathias Hewes forty lb. Tob. To Richard Wells one hundred & twenty [lb] Tob. To Charles Bevin forty [lb] Tob To Richard Bedworth forty [lb] Tob. To Henry Bennett one hundred & twenty [lb] Tob To W[m] Russell forty [lb] Tob. To Francis Holland forty [lb] Tob. To Abell Hill Eighty [lb] Tob. To Edward Darcey Nynty Three pounds of Tobacco To Robert Procter one hundred & Nynty lb Tob. To Cornelius Howard Eighty [lb] Tob To Robert Clastone one hundred & twenty pounds of Tobacco To W[m] Ridgly two hundred & forty lb Tob. To Andrew Norwood two hundred lb. Tob. To James Greenaway two hundred [lb] Tob. To W[m] Yeild Hall two hundred & twenty lb. Tob. To Jacob Lisby one hundred & twenty lb. Tob. To Laurence Draper forty [lb] Tob. To Thomas Bland forty [lb] Tob. To Thomas Browne one hundred and forty [lb] Tob. To John Balding Junior one hundred [lb] Tob To Charles Stephens sixty lb. Tob. To Jacob Harness sixty lb. Tob To Peter Bond one hundred & twenty [lb] Tob. To Edward Parrish six thousand Eight Hundred & Eighty To Thomas Browne Eighty lb Tob.

To Co[ll] W[m] Burgess for Charles Wilmore one thousand pounds of Tobacco To Patrick Murphy one thousand lb. Tobacco To John Homewood Three thousand four hundred pounds of Tobacco To Cap[n] Gassaway fifty lb Tobacco To Thomas Cox Eighty lb Tobacco To Thomas Hooke thirty lb Tob. To Hawton Howse Eighty lb. Tob. To Robert Ward fifty lb Tobacco To Nicholas Aldridg fifty [lb] Tob To Richard Williams fifty [lb] Tobacco To Richard Beard four hundred & Eighty [lb] Tobacco To Enoch Boulton two hundred & forty lb Tobacco To Henry Hanslipp Three hundred [lb] Tob. To Thomas Bland three Thousand Nyne hundred and fifty pounds of Tobacco To Co[ll] W[m] Burges Three thousand pounds of Tobacco To John Homewood four hundred lb Tobacco more to Co[ll] W[m] Burges three thousand pounds of Tobacco

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Somrsett County To James Weatherly two hundred [lb] Tob. To Co[ll] Couleborne two thousand pounds of Tobacco To M[r] W[m] Stevens two thousand Eight hundred sixty Eight to M[r] John White one thousand pounds of Tobacco To Cap[n] Leivtenant Daniell Curtice one thousand pounds of Tobacco To Ensigne Henry Miles Six hundred pounds of Tobacco To Joseph Seaward Six hundred pounds of Tobacco To John Heath four hundred pounds of Tobacco To John Perkins four hundred pounds of Tobacco To Richard Higgenbotham four hundred pounds of Tobacco To Alexander Draper Three hundred pounds of Tobacco To Sampson Atkinson to John Peter To Miles Harrisone To John Bradshaw To Tobias Fowler To Hugh Ingle To Edward Williams To Amoss Parsons To Samuell Walstone To James Lawrence To Francis Martin To Richard Warren To John Dorman To John Murphy To John Tyler To Phillip Hammon To Isaac De Collary To Edward King To John Midleton To William Allen To John Macky To Henry Gibbons To Alexander Mattux To John Woodard To Roger Okeine To John Walker To Joseph Basnett To John Walton To Thomas Townsend To Roger Gumm To Benjamin Derd To Francis Hutchyson To Laurence Henley To Edward Fray To Christopher Nutter & every and each of them Three hundred pounds of Tobacco To Giles Halford Three hundred pounds of Tobacco To Walter Lane Eight hundred pounds of Tobacco To Samuell Handy To John Covington and Edward Fowler Each three hundred pounds of Tobacco To Cap[n] David Browne one thousand pounds of Tobacco To Leiv[t] Richard Whittee seven hundred pounds of Tobacco To Ensigne Robert Sharpe six hundred pounds of Tobacco To Sergeant Sawser four hundred pounds of Tobacco To George Goddard four hundred lb Tob. To Thomas Dyas four hundred pounds of Tobacco To John Barker four hundred pounds of Tobacco To Cornelius Andersone To Richard

Liber W. H. & L. Autumm To Christopher Nugent To William Giles To Daniell Sealey To William Ingle To John Spicer To John Hall To Richard Richins To John Remshaw To Samuell Jones To James Brockenden To Samuell Tockfield To George Harris To John Ward To Edward Cary To Manus Morrice To John Crawley To George Sturgess To Edward Wotton To James Silvane To John Warner To Peter Parsone To Morgan Evans To John Parsones To George Hill To James Ingram To Thomas Ralph To John Boosh To Francis Johnson To John Richards To Augustine Marrow To William Vaughan To Lewis Beard To Alexander Thomas To Richard Aldridge To W^m^ Smith To John Wood To Humphry Jarvis To Samuell
p. 176 Heydon To Richard Harvey To Laurence Brindley To John Meworth and to each & every of them three hundred pounds of Tobacco To Stephen Cannon six hundred thirty two pounds of Tobacco To Robert Wilsone one hundred and forty pounds of Tobacco To Julian Mess one hundred thirty four pounds of Tobacco To Richard Ellingsworth one hundred pounds of Tobacco To John Peirce one hundred and twelve pounds of Tobacco To James Dashiele four hundred & Eight pounds of Tobacco To Peter Dowty two hundred pounds of Tobacco To Robert Collier one hundred thirty two pounds of Tobacco To John Bound two hundred and tenn pounds of Tobacco To Thomas Clarke one hundred and fifty pounds of Tobacco To Charles Spooner one hundred and fifty pounds of Tobacco To Christopher Nutter three thousand seven hundred fifty seven To Edward Bennett two hundred Eighty four pounds of Tobacco To William Betts one hundred thirty two pounds of Tobacco To John Lyon five hundred and twelve lb Tob. To John Evans Eighteen hundred and two lb Tobacco To John Marrett forty two pounds of Tobacco To John Parramour twelve pounds of Tobacco To Samuell Davies one hundred and Tenn pounds of Tobacco To James Weatherly two thousand Eight hundred Eighty six pounds of Tobacco To Will^m^ Jones two hundred Eighty six pounds of Tobacco To George Goddard one hundred and fifty pounds of Tobacco To Christopher Little one hundred pounds of Tobacco To John Covington two hundred & fifty pounds of Tobacco Richard Peake fifty pounds of Tobacco To Thomas Bloyse one hundred and Nynty pounds of Tobacco To John Panther fifty lb Tob. To George Collings one hundred and twenty lb. Tob. To W^m^ Elgate one hundred thirty six pounds of Tobacco To Robert Hardie Nynty four pounds of Tobacco To John Winder five hundred Eighty four lb Tob. To Daniell Hast one hundred twenty four pounds of Tobacco To Richard Kimball two hundred Eighty Eight lb Tob To David Spence one hundred and two lb Tob. To John Evans five hundred and Nynty lb Tob. To W^m^ Elgate Junior twenty pounds of Tobacco To Thomas

Gelly forty five pounds of Tobacco To Andrew Jones four hundred and fifty pounds of Tobacco To William Brown one hundred pounds of Tobacco To Thomas Marshall Nynty lb Tobacco To William Gulick tenn pounds of Tobacco To Thomas Manlove forty lb Tob To Mathew Dorman forty lb Tob. To Nicholas Fowntaine one hundred pounds of Tobacco To Henry Miles Eighty lb Tob. To Andrew Whittington Thirty pounds of Tobacco To Richard Antrum Sixty pounds of Tobacco To Gideon Tilghman Three hundred pounds of Tobacco To Andrew Wilsone Three hundred pounds of Tobacco To Samuell Cooper sixty lb. Tob. To Thomas Jones one hundred pounds of Tobacco To Edward Sidburry five hundred and sixty lb. Tobacco To John Dorr fifty lb Tobacco To William Palmer four hundred and sixty pounds of Tobacco To Robert Cattlin senior one hundred and fifty pounds of Tobacco To Robert Cattlin Junior two hundred pounds of Tob. To Nicholas Fountaine one hundred and Sixty pounds Tobacco To John Murphy To Thomas Williams To John Webb To Thomas Tull To George Johnson To Danll Denahoe To John Price To each & every of them one hundred and sixty pounds of Tobacco To John Roche one hundred and forty lb Tob. To Thomas Cottingham five hundred & two pounds Tob. To Wm Prentice one hundred fifty pounds of Tobacco To Ambrose Dixon one hundred twenty Eight pounds of Tobacco To Marke Annullen Nynty pounds of Tobacco To Major London twenty lb Tob. To Wm Palmer one hundred and twenty pounds of Tobacco To George Howell Eighty pounds of Tobacco To Richard Birkland two hundred & tenn pounds of Tobacco To William Green Three hundred and forty pounds of Tobacco To Richard Lewis two hundred and Eighty pounds of Tobacco To John Vigorous Eighty pounds of Tobacco To Wm Manlove Thirty pounds of Tobacco To John Colhoon Thirty lb Tob To Walter Powell one hundred and Tenn pounds of Tobacco To Francis Jenckins Ninety pounds of Tobacco To John Rowell twenty five pounds of Tobacco To George Hasfurt five hundred pounds of Tobacco To John Townsend Nine hundred pounds of Tobacco To Thomas Newbald Nynty lb Tob. To John Anderson one hundred fifty two lb Tob. To Sebastian Delasatias fifty lb Tob. To Leivtenant Samuell Sewall Nyne hundred and Thirty lb Tobacco to Wm Walton two hundred pounds of Tobacco To Thomas Skinner twenty pounds of Tobacco To Elias Coleman tenn pounds of Tobacco To John Bishop twenty pounds of Tobacco To Thomas Proffitt forty pounds of Tobacco To Daniell Selby forty lb Tob To Robert Johnson forty lb Tob. To Thomas Oxford Sixty pounds of Tobacco To Samll Jones Sixty lb Tob. George Mitchell Nynty two lb Tob. To Cornelius Johnsone one hundred & forty lb Tob

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Liber W. H. & L. To Thomas Bloyse Nynty four pounds of Tob. To Edward Gibbs one hundred and twenty lb Tob. To Nehemiah Covington two hundred Thirty two lb Tob. To John Covington Nynty lb. Tob. To Thomas Covington Eighty six lb Tob. To Thomas Cary one hundred and Tenn lb. Tob. To Henry Hamman forty six lb Tob. To Richard Whittee one hundred & forty lb Tobacco To Charles Ballard one hundred Sixty four lb. Tob. To George Phebus one hundred & twelve pds of Tobb To Roger Woolford one hundred seventy Six pds Tobacco To Capn Brown Nynteen hundred Nynty two lb Tob. To Mathew Dormer Thirty two lb Tobacco To Richard Chambers one thousand twenty two lb Tobacco To John Shipway Twenty Eight lb. Tobacco To Thomas Manlove Thirty two pounds of Tobacco To John King two hundred twenty four pounds of Tobacco To William Furnesse Nynty two lb. Tobacco To Mrs Keene one hundred thirty two pounds of Tobacco To John Gooldsmith Thirty six pounds Tobacco To Thomas Price Eighty four pounds of Tobacco To Thomas Williams one hundred seventy Eight pounds of Tobacco To John Jarrett Seventy Nyne pounds of Tobacco To John Carter Nyne lb. Tob. To
p. 178 John Johnson Thirty lb Tob. To John Roch twenty three pounds of Tobacco To Coll Coulborne forty Nine pounds of Tobacco To Thomas Cottington seventy two lb Tobacco To Robert Catlinn Senior forty Eight pounds of Tobacco To Stephen Bond twenty Eight pounds of Tobacco To Dennack Dennis one hundred fifty Eight pounds of Tobacco To George Wilson one hundred and twelve pounds of Tobacco To Michaell Williams one hundred Eighty four pounds of Tobacco To Thomas Price forty pounds of Tobacco To Edward Furland twenty three pounds of Tobacco To Stephen Horsey Sixty Six pounds of Tobacco To Thomas Sewall twelve pounds of Tobacco To William Walstone Nynteen pounds of Tobacco To Major London fifty Eight pounds of Tobacco To Charles Hall twenty four lb Tob: To Thomas Walstone Thirty pounds of Tobacco To Daniell Denahoe forty five pounds of Tobacco To Wm Planner forty two lb Tobacco To Richard Tull twelve pounds of Tobacco To John Kirke forty two lb. Tob. To Ambrose Dixon seventy two lb: Tobacco To Thomas Dixon Thirteen lb. Tobacco To Coll Wm Waters four thousand Eight Hundred pounds of Tobacco To Capn Thomas Walker four thousand Nynty two pounds of Tobacco To Robert Wilson Six thousand pounds of Tobacco To John Covington four hundred & Eighty pounds of Tobacco To Richard Peake Sixty pounds of Tobacco And to David ffry sixty pounds of Tobacco.

Charles County To Capn Randall Brandt four thousand Nyne hundred and fifty pounds of Tobacco To Robert Midleton one thousand pounds of Tobacco To Edward Price Corporall

Nyne hundred seventy five To John Court Junior Eight hun- Liber W. H. & L.
dred and Thirty pounds of Tobacco To Cleybourn Lomax four hundred pounds of Tobacco To John Passey two hundred and thirty pounds of Tob. To Samuell Luckett To John Bradshaw To Anthony Neale To John Harvy To John Reynes to Robert Roland To William Ward To William Hatch To George Groves To William Hinsey To Phillip Hoskins To Jeremiah Macknew To Robert Ingoldsby To Kenelm Macloughlin To John Hansone To John Clarke To W^m^ Wells To Richard Clowter and each & every of them Eight hundred and Thirty pounds of Tobacco To Owen Newen To Roger Fowke To John Wood To John Brooke to Thomas Shuttleworth To Thomas Craxtone To Charles Hea To Edward Frawner To John Lambert To Francis Harrison To Laurence Young To Richard Chapman To Phillip Lynes To W^m^ Loveday To each & every of them seven hundred & fifty pounds of Tobacco To Thomas Davies Six hundred pounds of Tobacco To Richard Hodsone six hundred pounds of Tobacco To George Godfrey two thousand pounds of Tobacco To Henry Hawkins Eleven hundred twenty five pounds of Tobacco To Joseph Manning p. 179
one hundred and fifty pounds of Tobacco To John Cunney six hundred pounds of Tobacco To John Hanson Dane six hundred pounds of Tobacco To Ralph Bertley Three hundred pounds of Tobacco To Thomas Wakefeild Three hundred pounds of Tobacco To James Tyre Eighty pounds of Tobacco To Bryan Orsone Eighty pounds of Tobacco To Owen Newen one thousand pounds of Tobacco To John Bradshaw one thousand and Seventy pounds of Tobacco To Evan Jones two thousand pounds of Tobacco To Major Rozer three thousand two hundred Nynty two pounds of Tobacco to Phillip Lynes for his horse Thirty pounds of Tobacco To Stephen Murty Three hundred and twelve pounds of Tobacco To James Cox Eight hundred & thirty pounds of Tobbacco To Major Rozer Seventy pounds of Tobacco To Thomas Keysey twelve hundred pounds of Tobacco To Pope Alvey sixty pounds of Tobacco To sergeant John Winder four hundred pounds of Tobacco To John Brookes To Michaell Webb To Cornelius Johnson To Christopher Shadwell To Peter Tubb To George Turner To Roger Fowke To Edward Foord To Thomas Bradshaw To ffrancis Chumley To William Jackson To Richard New To Edward Crouch To William Bennett To Jonathan Best To John Cunnee To John Stanbury To George Groves and to every and each of them three hundred pounds of Tobacco To Cap^n^ James Neale fifteen hundred pounds of Tobacco To Thomas Witter three thousand two hundred and twenty pounds of Tobacco—

Liber W. H. & L. St Maryes County To Cap^{n} Justinian Gerrard one thousand pounds of Tobacco To Leivtenant Samuell Maddox seven hundred pounds of Tobacco To Ensigne W^{m} Watts six hundred pounds of Tobacco To Thomas Robyson four hundred pounds of Tobacco To Collein Mackenry four hundred pounds of Tobacco To James Moody To William Tetherton To Thomas Dueberry To James Garrard To Abraham Price To John Williams to Thomas Dant To John Peacok To Nicholas Durass To William Brewer To John Houlden To Joseph Stradford To William Taylor To Jeffry Hudson and to each & every of them three hundred pounds of Tobacco To John Vander sargeant four hundred pounds of Tob. To Thomas Reeves To James Brewer To John Ross To John Singleton To Jacob Morrice To Thomas Tirkill To John Weare To William Ransman To William Porter To every & each of them Three hundred pounds of Tobacco To-Cap^{n} Gerrard Sly Sixteen thousand two hundred fifty seven pounds of Tobacco To William Shirtliffe five hundred twenty five pounds of Tobacco To Justinian Tennison one hundred pounds of Tobacco To James Cumpton two hundred and forty pounds of Tobacco To Nicholas Paynter two thousand pounds of Tobacco To John Green Three hundred and twenty pounds of Tobacco To Jacob Lockerman two thousand pounds of Tobacco To M^{r} John Coode seventeen hundred pounds of Tobacco To Elizabeth Dela
p. 180 Roche two thousand Eight hundred and thirty pounds of Tobacco To Clement Hill four thousand & Eighty pounds of Tobacco To Major William Boarman two thousand pounds of Tobacco To Leonard Green four hundred pounds of Tobacco To Thomas Hinton one hundred and fifty pounds of Tobacco To William Taylor Thirteen hundred pounds of Tobacco To M^{r} Henry Carew sixty pounds of Tobacco To Stephen Murtee three thousand two hundred & twenty pounds of Tobacco To Ann Martin two hundred pounds of Tobacco To Henry Exton Twenty Nyne Thousand Eight hundred twenty one pounds of Tobacco To Richard Sweatnam five hundred twenty Three pounds of Tobacco To the Chancellor Nyne hundred forty Eight pounds of Tobacco To John Wynn fifteen hundred pounds of Tobacco To John Garnish Three thousand five hundred and Nynteen pounds of Tobacco To the Estate of Richard Chilman three thousand Eight hundred twenty Nine pounds of Tobacco To Francis Shefield seven hundred & fifty pounds of Tobacco To Hugh Thomas seven hundred & fifty pounds of Tobacco To James Bowling two hundred and sixty pounds of Tobacco To Dennis Hascula three hundred thirty six pounds of Tobacco To John Blomfield five thousand Nyne hundred Sixty Nyne pounds of Tobacco To John Barnes twenty six thousand seven hundred pounds of Tobacco To Thomas Clip-

sham one thousand pounds of Tobacco To Garrett Vanswer- Liber W. H. & L.
ingen twenty thousand one hundred Nynty seven pounds of Tobacco To Cap^{n} John Quigley twenty thousand pounds of Tobacco To John Baker fifty one thousand Nyne hundred Sixty Nyne pounds of Tobacco To the Hon^{ble} Thomas Notley thirty one thousand two hundred & Six pounds of Tobacco To Doctor John Peirce two thousand seven hundred and forty pounds of Tobacco To James Phillips Doorekeeper To Ralph Smith Doorekeeper Six hundred pounds of Tobacco Each To Robert Ridgeley seven thousand pounds of Tobacco To John Lewellin four thousand pounds of Tobacco

To Cap^{n} Ninion Beale three thousand three hundred and Sixty pounds of Tobacco To William ffloyd To Thomas Floyd To Henry Key To Thomas Crouder To Bartholomew Coppistone To Roger Rice To Thomas Deane To Francis Whittington To Samuell Hickman To Joseph Hall To Richard Dorrington To Edward Cabnall To Nicholas Turner To John Norman To John Willee To W^{m} Purnall To William Parker To Richard Stanner To Robert Rous To Richard Pelley To Robert Hawkins To John Goss To Andrew Bradley To Evan Price To Samuell Deering To Walter Bowen To William Chittle To each & every of them Nyne hundred pounds of Tobacco To Cap^{n} Roger Baker Eighteen hundred pounds of Tobacco To M^{r} Richard Smith senior Nyne hundred pounds of Tobacco To Phillip Burges four hundred pounds of Tobacco To Robert Evans To James Cobb To Richard Robersone To Richard Purnall To Thomas Sturdica To Francis Hyems To Henry p. 181
Hollice To John Strong To William Chittle To James Dupe To Thomas Price To Thomas Arnold To Morrice Welch To John Wilson To George Searra To William Milburne To Joseph Williams To John Little To each and every of them three hundred pounds of Tobacco To Thomas Ellis four hundred seventy seven pounds of Tobacco To Daniell Conninghams Estate one thousand Three hundred and three pounds of Tobacco To Richard Clarke four hundred twenty Nyne pounds of Tobacco To John Abbington seven hundred twenty Nyne pounds of Tobacco To Robert Skinner six hundred twenty one pounds of Tobacco To Arthur Ludford seven hundred twenty seven pounds of Tobacco To William Lowry Eleven hundred and twenty pounds of Tobacco To John Burroughs Six hundred pounds of Tobacco To Edward Husbands two thousand pounds of Tobacco To Richard Keen five hundred Nynty Eight pounds of Tobacco To John Ashcomb fifty one pounds of Tobacco To Hugh Hopewell Three hundred and Seventy pounds of Tobacco To James Harrison Three hundred and fifty pounds of Tobacco To Richard Hutchings two hundred & Eighty pounds of Tobacco To Joseph Edloe

Liber W. H. & L. one hundred and forty pounds of Tobacco To Thomas Gaunt one hundred forty Eight pounds of Tobacco To John Evans fifty Eight pounds of Tobacco To Cap^n^ Peirce Eight hundred pounds of Tobacco To Thomas Sprigg one hundred pounds of Tobacco To Thomas Bankes three Thousand two hundred & one pound of Tobacco To Francis Burton sixteen hundred pounds of Tobacco To Thomas Window six thousand five hundred pounds of Tobacco To Charles Boteler Clerke four thousand two hundred and fifty pounds of Tobacco.

And Bee itt further Enacted by the Right Hon^ble^ the Lord Proprietary with the advice and assent of the upper and lower houses of this present Generall Assembly and the Authority of the Same That the aforesaid Sume of Tobacco Amounting in the whole to the Sume of Eight hundred twenty five thousand Nyne hundred seventy Nyne pounds of Tobacco Be Leavied and Assessed by an Equall Assessment vpon the Bodyes or Estates of the Inhabitants Taxables of this Province and payd To the severall persons to whom the same is due as aforesaid Any Law Statute Vseage or Custome To the Contrary thereof Notwithstanding—

An Act for Punishment of Edward Husbands for menacing & Curseing this Assembly &^ca^

Whereas the Lower house of this present Generall Assembly have taken into their serious Consideracon The Wicked and
p. 182 Malitious Attempt of poysoning most of the members of this house supposed to be done by Edward Husbands of Calvert County Chirurgeon And that the Circumstances thereof are strong and violent Enough To Convict the said Husbands thereof And he being a person that hath given such Cause of Suspition of his Attempting to poyson the Hon^ble^ the Gouernour and the upper and lower houses of this present Generall Assembly Doe pray that itt may be Enacted And Bee itt Enacted by the Right Honb^le^ The Lord Prop^ry^ by and with the advice & assent of the upper and lower houses of this present Generall Assembly That the said Edward Husbands be and is hereby utterly disabled & made incapable of ever practiseing as a Phisitian or Chirurgeon within this Province And if att any time or times hereafter he shall presume to practice as aforesaid he shall for every such offence forfeit & pay the Just sume of two hundred pounds starling one halfe thereof to the Right Hon^ble^ the Lord Proprietary the other halfe to him or them that shall enform or sue for the same And Bee itt further Enacted by the Authority aforesaid That The said Husbands be bound personally to appeare att the next Pro-

vinciall Court To Answer the premisses and in the meane time to be of good behauiour as well toward his Lordship as to all the Inhabitants of this Province giveing good and Sufficient security for the same before some one or more of his Lordships Councell— Liber W. H. & L.

And whereas itt hath appeared by sufficient proofe That the said Edward Husbands hath Threatned menaced & Cursed this present Assembly Bee itt further Enacted by the Authority aforesaid That for the Crime of Threatning menaceing & Curseing this Assembly as afores[d] The said Husbands be whipped on the bare back with twenty Lashes by the hand of the Comon hangman—

W M Calvert Sec { Seal }

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, August 16–*September* 17, 1681.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

At an Assembly held by Prorogation from the 15th Day of Iune Anno Dom 1676 untill the 15th Day of May Anno Dom 1677. and from thence by Severall Prorogations Continued and Prorogued untill the 6th Day of May Anno Dom. 1679 But for Divers weighty and Urgent Affairs relating to the State and Wellfare of this Province then before Interveening, And by the Honourable the Governor and Council of this Province taken into Consideration Called by Proclamation bearing Date the 28th Day of August Anno Dom 1678 to meet at the City of S^{t} Maries the 20th Day of October then next following, which accordingly mett the said 20th Day of October 1678 at the City of S^{t} Maries and there Satt till the 15th Day of November then next following and from thence was Prorogued untill the 2^{d} Tuesday in May 1679 and from thence by Severall Prorogations Continued and Prorogued till the 16th Day of Aug^{t} in the Sixth Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &^{t} Annoq Dom 1682 at which said 16th Day of August Assembly mett at the City of S^{t} Maries— U. H. Journal 1659–98 p. 291

Where Appeared of the Upper house Viz^{t}

The Right Honourable the Lord Proprietary

The Honourable

Philip Calvert Esq^{r} Chancellor
William Calvert Esq^{r} Secretary
Col Henry Coursey
Col Thomas Taillor
Col Vincent Lowe
Col William Stephens

also make their Appearance—

Jn the Upper house according to his Lordships Writts them thereunto requiring Viz^{t}

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To Our Dear and Welbeloved Councillor Vincent Lowe Esq^{r} Greeting, in our Lord God Everlasting, We have appointed to hold a General Assembly of the Freemen of Our Province at Our City of S^{t} Maries the 16th Day of August Instant We do therefore hereby Will and require that all Excuses and Delays sett apart you repair in Person to Our Upper house of Assembly att the time and Place Prefixed, there to Advise and Con-

U. H. Journal 1659–98 sult with us touching the Important Affairs of Our said Province Given at Our City of S^{t} Maries under the Great Seal of Our said Province of Maryland, the fifteenth Day of August in the Sixth Year of Our Dominion over Our said Province &^{t} Annoq Domini 1681

Jdem Mutatis Mutandis to Col William Stephens they both Appear and produce their Respective Writts the Same also issued to Col Henry Darnall.

George Talbott }
William Digges } Esq^{rs}

His Lordship in the Presence of both houses Jntimate the Occasion of their Convention at this time thus Viz^{t}—

p. 292 Gentlemen

Jt has been Generally believed, and by Several Persons often affirmed that the frequent Meeting of Assemblies has been very Burthensome and Chargeable to the Province and if I mistake not Such Charges as were Occasioned by Assemblies only were the Chief Motives and Pretexts, that Davis and his Complices had for their Defection from the Government in the late Rebellion that happened at the Cliffs

The Clamours therfore of Such Busie Malicious fellows as those and my Own willingness to avoid all Charges on the Inhabitants that were not of Absolute Necessity, Occasioned me to forbear Calling You together so Soon as otherwise J should have done, And truely had there not been some Murders and other Outrages Committed this Summer by Indians that as yet we have not fully Discovered, I should not have given You the Trouble of this Meeting untill October next but being Daily Alarmed by the Approaches of Considerable Parties of Indians that have been Discovered and discoursed with by Cap^{t} Rand^{o} Brandt in Charles County, And very much Apprehending Some Sudden Attempts by them on the Inhabitants, J Conceived it Absolute Necessary you should meet this Day to the End I might Communicate to You in time the Urgent and pressing Occasion both I and my Council find of renewing very Speedily those Articles of Peace and Amity that were made Some few years Since by Col Henry Coursey on the behalf of this Province with the Sinecoes These Articles (as I have been Informed) have never been renewed Since Col Courseys Return from that Negotiaation which I fear has been a great Omission in this Government, and may have Occasioned Some disgust or at best Some Jealousie in those Nations that we Value not their friendship, when I am certain that (at this Iuncture of time) We ought to Seek and highly Cherish their kindness and friendship for it must be by their

Means and Assisstance that we are to hope to rid the Province, U. H. Journal 1659–98
of these Susquehannahs and other Mixt Nations that come
Yearly down and infest both Maryland and Virginia Therefore
Gentlemen I hope and very Earnestly Desire you[l] in the first
Place take this great and weighty Affair in to Your Serious
and most prudent Considerations and by Some early Course
and Means Endeavour to Secure the Sinniquos Our friends
according to Our Articles formerly Made with them, That so
they may be gained to Aid and Assist us in the cutting of
these Enimies of Ours that certainly Designe our Destruction
so Soon as they have taken from us Our friends the Neighbour-
ing Indians, The Speedy Effecting of this I reccomend to you
as the only Sure foundation upon which Our future Peace and
Tranquility must Depend, And next to this I must with Some
Earnestness desire that you will this Sessions prevent by Some
Severe Act the great Licence and Liberty Severall Wicked
Malicious Persons give themselves in broaching Lyes and
false Stories which greatly Disquiet all good People and tend
very much to the Disturbance of the Governm[t] Some bad
Effects have been already Seen, and if timely care had not pre-
vented you might ere this have Seen another Bebellion on
foot in this Province of this I will give You an Account in due
time—

That which now remains for me to tell you is that I will not
at all be wanting on my part to Ioin with You in any thing
You shall Reasonably desire at my hands for the Prosperity p. 293
Welfare and good of my Province and further to assure You
that it is more my Interest then any mans else to Study and
Act for the Advantage of this Province, You may be Confident
it shall be ever my Sole Care and the whole Business of my
Life so to do, and whatever Person shall at any time presume
to think and report the Contrary of me must either be most
Damnably Malicious or must at the same time Conclude and
Deem me no Rational Creature which I hope you here will
never do—

Col Philemon LLoyd Speaker and the rest of the Members
of the Lower house are Dismiss'd and go by themselves—

John Llewillin Cl of the Assembly—

The house Adjourns till to Morrow Morning—

August 18th 1681 the Upper house mett—

Where Appeared as Yesterday—

A Message from the Lower house by Col George Wells
and William Richardson Desiring a Copy of his Lordships

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Proclamation for Conveening this Assembly which was Concluded should be Sent to the Lower house, by a Member of this. they return to their own house—

And the Proclamation filed in the Office is Sent to the Lower house by Col Lowe who having Delivered the Same returns again—

Col Darnall makes his Appearance according to Writt which he produces

A Message from the Lower house by Cap^{t} Sibrey and M^{r} Clement Hill Desiring a View of the Severall Writts of Prorogation Since the last Assembly

Answer to be returned them by a Member of this house

They return to their own house—

This house adjourns till to Morrow ten a Clock The Secretary after the Adjournall of this house gives to the Lower house a Copy of the first Proclamation after the last Sessions for Proroguing the Assembly which by M^{r} Robert Carvile one of the Members of the Lower house was returned to be Satisfactory enough in Answer to their Message & that they Desired no more—

Aug^{t} the 18th 1681 Upper house mett

where appeared

The Honourable
- Philip Calvert Esq^{r} Chancellor
- William Calvert Esq^{r} Secretary
- Vincent Lowe Esq^{r} Surveyor Generall
- Col. Henry Coursey—
- Col Thomas Taillor
- Col Henry Darnall
- Col William Stevens

The Chancellor gives the house to understand that his Lordship being informed that Cap^{t} Coode being Accused for Mutinous and Seditious Speeches Practices and Attempts tending to the Breach of the Peace and yet Admitted to Sitt in the Lower house as a Member thereof is of Opinion that he ought not to Sitt there untill Such time as he hath purged himself from what is Charged upon him and therefore desires that the Lower house may be acquainted therewith Ordered that a Message be Sent to the Lower house accordingly

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Upper house of Assembly Aug^{t} 18th 1681.

His Lordship the Right Honourable the Lord Proprietary being Informed that Captain Iohn Coode being a Prisoner (though not upon Baile) Accused for Mutinous and Seditious Speeches practices and Attempts tending to the Breach of the Peace and Subversion of the Government is Notwithstanding

Admitted to Sitt as a Member of the Lower house in this present Generall Assembly, Contrary to the known Practices of all Assemblies, that any Person should Sitt there as a Member who stands Accused barely for Breach of the Peace untill Such time as he shall first have Duely purged himself from thence; Hath Commanded this house to represent the Same to the Lower house which by this Message they do—Desiring them to Consider thereof, and take such care therein that no Person so Affected as is already Mentioned may be thought a Member worthy to Sitt there among them untill Such time as he shall first have purged himself from the Crimes laid to his Charge, and which by Severall Oaths have been Testified against him U. H. Journal 1659–98

Signed p^r^ Order p^r^ John LLewellin Cl of the Assembly

The same is Sent to the Lower house by the Honourable the Secretary and Col Taylor who having Delivered the Message return again into this house

A Message from the Lower house by Col Wells Cap^t^ Sibrey Cap^t^ Waterton and William Richardson—

Lower house of Assembly 18th Aug^t^ 1681—

Upon the Message read from the Upper house in relation to Cap^t^ Iohn Coode, a Member of this house, this house thinks fitt to acquaint the Upper House that this house will take the said Message into their Consideration and give Lordship Such Satisfaction therein as in Iustice they ought, not infringing the Rights and Priviledges of this house

Signed p^r^ Order of the house Robert Ridgley
Cl of the Lower house of Ass^bly^

Whereunto this house did reply that (if the Message required it) they would Send them an Answer thereto p^r^ Some Member of this house—

They return to their own house

The Secretary is desired to go to the Lower house to know of them if they have any Bills ready to present to this house or other Business which requires the Concurrence of this house for that this house is ready to receive the Same otherwise intend to Adjourn—

The Secretary returns, and they will send Answer by a Member of their own—

A Message from the Lower house by Cap^t^ Ladd & Richard Hall—

Lower house of Assembly 18th Aug^t^ 1681

Jn Answer to the Message by the Honourable the Secretary

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from the Upper the Upper house, this house do say they have Matters of weighty Considerations at present before them so that they have nothing as yet ready to Communicate to the Upper house—

Signed p^r^ Order of this house
Robert Ridgley Cl of the Lower house of Assembly—

Joseph Norwood Appointed Door keeper to this house

This house upon Receipt of the late Message Adjourn till to Morrow Morning ten of the Clock—

August 19th 1681 Upper house mett.

Where appeared the R^t^ Honble the Lord Proprietary & other the Members as Yesterday

His Lordship produces an Address to him made from the Lower house yester-Day which was read and Entered in the Iournal of this house Viz^t^

To the Right Honourable the Lord Proprietary

The Humble Address of the Representatives of this Province of Maryland

Whereas upon the calling over the house on the 16th Day of August it did appear that thirteen of the Representatives were wanting and upon calling over the house again this Day Viz^t^ the 17th Instant it did appear that Twelve of the Said thirteen Representatives were still wanting Eight whereof are Dead, One called up to Your Lordships Council, two Jncapacitated by reason they are Sheriffs of Divers Counties and one Departed this Province Whereby the said house wanting a Considerable Number of their Body do humbly Conceive themselves greatly Jncapacitated to Act and do Proportionable to the great Trust reposed in them and Sufficiently to Consult the Grand and Weighty Affairs of the Province—

Upon a Due and Mature Debate thereof in the said house it was resolved (Nemine Contradicente) that the Speaker of the house (Sitting the house) ought to issue out Warrants to Supply the Places of those Vacant Members aforesaid according to Diverse and Manifold Presidents of the Lower house of Parliament in England then and there produced and Examined the Usages and Customs whereof this House do humbly Conceive the only and Sure Rule for this house to Act by in this and all other their Proceedings—

And whereas by the said Customs and Presidents of the Lower house of Parliament aforesaid the said Warrants from

the Speaker for new Elections are usually Jssued out to the Clerk of the Crown, and the said house not knowing any Officers of that Quality or Denomination to whom any Such Warrants as aforesaid may be Directed whereby they may Unanimously proceed in those great & Weighty Affairs for which they were Conveened— U. H. Journal 1659–98

Jn Consideration of the Premisses and nothing Doubting Your Lordships Complyance in this Our Iust and Equitable request We the Representatives of this Province by Your Lordships Proclamation Assembled Do humbly desire that Your Lordship will Graciously be pleased to Constitute and Appoint Some Such Officer to whom the Speaker may Direct his Warrants to Such purpose and intendm^{ts} as aforesaid—

Signed p^{r} Order of the house
Robert Ridgley Cl of the Lower house of Assembly

also this following Paper Viz^{t}

Lower house of Assembly 17th Aug^{t} 1681—

Jt was Voted in this house that it was the right and Priviledge of this House to have an Officer to Attend them in the Nature of a Serjeant at Arms. During their time of Sitting, and this house therefore Humbly request his Lordship to appoint an Officer that may attend this house this present Sessions in that Quality he having reasonable Satisfaction Allowed him for his pains— p. 296

By the House Rob^{t} Ridgley Cl of the Lower house of Assembly

Adjourn for an hour—

House again met present as above—

A Message from the Lower house by Col Burgess Col Wells Major Wickes M^{r} Hill M^{r} Frisby, M^{r} Hosier Viz^{t}

August the 19th 1681—

The house having taken into their Serious Consideration the Message received Yesterday relating to Cap^{t} Iohn Coode do Answer that Cap^{t} Coode being at Liberty and presenting himself to this house before any knowledge was given to this house of any Crime this house had no reason to Deny him Admittance to Sitt as a Member of this house—

But upon Receipt of the said Message have as well out of high Respect to his Lordship and the Upper house as unto the Matter of his Accusation Voted that Captain Coode withdraw from Sitting in this house untill further Order of the house and then proceeded to the further Debate of the Matter and Substance of the Message which Consisting of an Accusation only

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and of Matters (though heinous) yet too general for us to find out wherein Our Member hath Incapacitated himself from Continuing in this house as a Member thereof Therefore this house being resolved as they Conceive themselves in Duty bound to Comply with his Lordship in all readiness and the Upper house in all things where the Rights and Priviledges of this house may be Secure Do Humbly desire to know wherein or by what Act or Means Our said Member hath Disabled or rendered himself Jncapable of having his Place in this house whereby (as not knowing any other Safe Rule) they will give Your Honours all further Satisfaction

Signed p^r^ Order of house
C: Boteler Cl Assistant of the Lower house of Assembly

Upper house of Assembly 19th Aug^t^ 1681

Treason or breach of the Peace Disables any Member of the Assembly from Sitting in the Assembly, Cap^t^ Iohn Coode is Accused for breach of the Peace upon Oath and Stood Committed for the said Breach and is still Prisoner to his Baile who may Deliver him up when they will if they fear the Breach of his good Behaviour which includes the Peace and more, And therefore this house do Conceive the said Coode is not capable to Sitt in the Lower house of Assembly till he hath Purged himself at the Provincial Court where only he is Tryable and where he is Bound to come in Order to his Tryall Neither can his Baile be other wise Discharged unless the Lower house will go directly Contrary against the known Law which ought to be their Rule as well as the Rule of this house,

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Neither do this house think that the particular Acts of his Breach of the Peace ought to be Divulged before they are brought in an Jndictment before a Petty Iury Even all Grand Iuries themselves being Sworn to keep his Lordships Council their fellows and their own Secret—

Signed p^r^ Order John LLewillin Cl of the Assembly—

Wherewith Col Coursey is Sent to the Lower house with Order also from this House to acquaint the Lower house that to Save the Trouble of Messages in writing This house by word of Mouth did desire a Conference with the Lower house in Relation to their Address to his Lordship

which having performed Col Coursey Returns again into the house

This house finding the State house by the Negligence of Iohn Bloomfield late Cryer of the Provincial Court hath been wholly Neglected to be Swept and kept clean for Provincial Courts and other Publick Meetings in Contempt to an Order of his Lordship and Council in that case passed, Ordered that

the said John Bloomfield be Dismissed from the Office of Cryer of the Provincial Court and that the Same be Conferred on Iames Cullin who is to take care that the said house be carefully Swept and kept clean from time to time in and against Provincial Courts, Assemblies and other Publick Meetings— U. H. Journal 1659–98

The Secretary is desired to go to the Lower house to know of them whether they have any thing to present to this house which requires the Concurrence of this house thereto, and whether they do Designe a Conference with this house according to the last Message and when they may be ready to Ioin with this house therein—

The Secretary returns with this Answer that they will Send Answer by a Member of their own.

A Message from the Lower house by Mr Carvile, Mr Hill says that the Lower house have now a Committee out, who when they return into the house the Lower house will be ready to wait on this house and to Ioin in Conference with this house—

They return again to their own house.

Col Taillor is desired to go to the Lower house and let them know that this house having Waited a Considerable time are Somewhat weary and therefore deferr the Conference till to Morrow Morning—

Col Taillor returns and the house Adjourns till to morrow morning 8 a Clock

August the 20th 1681 Upper house mett as Yesterday

A Message from the Lower house pr Mr Carvile and Mr Cheseldyne to know when the Lower house may Expect his Lordships Gracious Answer to their Address his Lordship gives them to understand that he Designed to Answer them in the Conference which they desire to know when the Lower House may attend this house

An Answer to be Sent them pr a Member of this house

They return to their own House—

Col Taillor is desired to go to the Lower house and acquaint the Speaker and Members thereof that this house is ready to receive them in the Conference p. 298

Col Taillor upon his return from the Lower house finds that the Message has been Mistaken they Desiring an Answer to their Address to his Lordship at Mattapany when it was the Main Design of his Lordship and this house to give them Answer thereunto by this Conference—

The Speaker with the rest of the Members of the Lower house Enter this house, To them his Lordship Declares that

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he had read their Address p^r^ two Members of their house, the Contents being very Surprizing gave his Lordship Occasion to ask the Bearers whether they had Commission to Speak thereunto to which they said yes; his Lordship Designing to ask them what the Lower house intended to doe in the Mean time, it requiring Some Considerable time to Make New Elections, they replyed that that would be no Impediment for that they intended to go on in their Business, his Lordship did then ask them whether they did conceive the Speaker and Members now Assembled were a House Sufficient to proceed in Business to which they said they were which Seemed to Contradict the Tenor of their Message

The Chancellor in writing gives them the heads of their Message

The Speaker declares that their intent was to have waited this Morning on his Lordship for his Gracious Answer to their Address and therefore Desired the Excuse of his Lordship and this house for their Weakness in Answering not foreknowing what his Lordship and this house would Say thereunto—

He says that by his Lordships Writt for the Conveening this Assembly 1676 four Delegates were Elected but two only Summoned by his Lordships Writt which gave Such General Dissatisfaction that the People by their Representatives then Obtained his Lordships New Writts for the calling all the Delegates—

The Summ of all is the Lower House request is that this Assembly which Commenced with four Delegates in a County may Still have their Complement during this Assembly, The are desired to withdraw for Some time

Put to the Vote (whether the last Act for Electing Burgesses &c. that part for Electing four in a County being Disassented by his Lordships Proclamation upon this Convention) Now Sending out Writts to fill up the Vacancies of the Lower house may not be Binding as an Act for the future to Summon four Delegates for each County in Succeeding Assemblys

The Secretary is desired to go to the Lower house to desire them again to come into this house his Lordship was ready to receive them.

He returns & they will Send Answer by a Member of their own.

The Speaker and Members of the Lower house Enter; his Lordship does declare to them that by his Proclamation by which they are now called, the Law for four Delegates is Sufficiently Disassented to, and that otherwise he would Gratifie their request in issuing out Writts for filling up the Vacancies; he desires to know whether they cannot Safely proceed as they are to their Business—

An Indenture taken by Clement Hill 1676 then Sher: of S[t] Maries County for Electing Burgesses, whereby Captain Coode only Elected has full power & Authority given him by the Freemen, Besides his Lordship upon reading the Act for Electing and Summoning Delegates &c finds that it has only relation to future Assemblies as by the Title of the said Act is Expressed and therefore cannot Discover from whence they Crave it as their Right to have four Delegates U. H. Journal 1659–98 p. 299

The Speaker craving freedom of Speech in this house says that the Freemen in Signing their Indentures which has been brought to them has been out of respect to his Lordship and that Possibly no person there has been capable to contend and therefore humbly Conceives that the same ought not to be Binding upon the Freemen to Abrogate their Priviledges—

They are desired again to withdraw to their own house and Consider whether they may not Safely proceed to Business as now they are they Accordingly withdraw—

Upper House August the 20th 1681—

This house upon Mature Consideration had do conceive the Lower house with the Number of Members whereof it now Consists is a Sufficient full house & Sufficiently Empowered to Negotiate the Publick Business of the Province for which as Representatives of the Same they are now Conveened, This house do therefore desire to know the Speedy Result of the Lower house, whether they think fitt to Ioin with this house in the Business for which they were both Called—

Signed p[r] Order John LLewillin Cl of the Assembly.

Sent by Col Lowe—Col Lowe having Delivered his Message returns again into this house

M[r] Cheseldine from the Lower house desires the Book of Laws which is Delivered to him and he returns again—

A Message from the Lower house p[r] M[r] Chiseldine and Captain Sibrey

August the 20th 1681—

This house is contented to acknowledge it a favour done to this house by his Lordship to Consent to their Address presented to his Lordship at Mattapany and will so enter it upon their Journal so soon as his Lordship pleases to give his Consent to the Act Directing the Manner of Electing Delegates and Representatives for this Province, which is now Drawing with the Alteration of two Members for each respective County instead of four formerly Incerted, And with Another Clause providing that the Speaker of this house may issue out his Warrant to the Honourable the Secretary of this Province that

U. H. Journal 1659–98 Writts may go out to Cause new Elections to Supply the Places of Dead Members or otherwise Disabled to Attend the house to the Number of two Delegates for each County—

Signed p^r^ Order of the house

C: Boteler Cl Assistant of the Lower house of Assembly

Upper house August the 20th 1681.

His Lordship the Right Honourable the Lord Proprietary is willing So far to Condescend to the request of the Lower house as to give Order to the Honble the Secretary to Jssue out Writts for Supplying the Vacant places of the Lower house for the present, Provided the Lower house will acknowledge itt
p. 300 as a favour from his Lordship so doing and will enter the Same as So in their Journal and for the Quieting the Minds of People for the future his Lordship is further willing to Consent to Such a Law as shall be now Drawn up for the Electing and Summoning two Delegates and Representatives only in each County to Serve in Assemblies as Shall be Agreed upon by both Houses this present Sessions—

Signed p^r^ Order p^r^ John LLewillin Cl of the Assembly

Sent by Col Coursey who is to lett them know that this is his Lordships Answer to their Message which they may Expect.

Col Coursey having Delivered his Message returns again into this house

Adjourne to the Councill Chamber at Vansweringens where they are ready to receive any Message from the Lower house—

Upper house mett according to Adjournment

A Message from the Lower house by M^r^ Carvile, Cap^t^ Ladd, Captain Sibrey, and Bartholomew Ennalls who acquaint his Lordship that the Lower house in Answer to the last Message from this house would enter in their Iournal their acknowledgment of his Lordships favour in Gratifying their request in Such Manner as was desired of them, Provided his Lordship would Consent to the New drawing of the Act for Electing and Summoning Delegates &^ta^ with Alteration of two Delegates instead of four and the Inserting in the said Act before the two last Provisoes this foll Law Viz^t^—

And be it further Enacted that if at the opening any future Assembly it shall Appear that any of the aforesaid Representatives for any County or Borough aforesaid be Dead or otherwise Disabled to give his Attendance in the Service of the said House, and Such Vacant place of Such Representative by a New Election not Supplyed or filled up by a Writt for

that Purpose to be by his Lordship his heirs or Successors or his Lieutenant General for the time being Sent out or in case any of the Representatives shall happen During the time of the Sitting of Such Assemblies to Dye or be otherwise Disabled from Sitting in the said Assemblies that then it shall and may be Lawfull for the Speaker of the Lower house of Assembly for the time being to Send his Warrant to the Honourable the Secretary of this Province for the time being to Jssue out Writts in Manner and form aforesaid for Election of other Representatives to Serve in the Room—or place of Such Deceased or otherwise Disabled Member, And that the Secretary do immediately issue forth such Writt of Election as aforesaid— Signed p^r^ Order of the House
C Boteler Cl Assistant of the Lower house of Assembly

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Adjourn till Monday Morning

Monday 22^d^ Iune 1681

Upper house met as on Saturday

Col Stevens is desired to go to the Lower house and let them know that this house was preparing an Answer to their last Message on Saturday

Was new drawn up in the house an Act directing the Manner of Electing & Summoning Delegates and Deputies of the Freemen of this Province to Serve in Succeeding Assemblies with the Alteration of—two Delegates instead of four which was Sent to the Lower house by Col Lowe with this Subscription—

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Upper house 22 August 1681

This house have approved of the above Act and Recommend it to the perusall of the Lower House in Answer to their Message on Saturday last
Signed p^r^ Order p^r^ John LLewillin Cl of the Assembly

Col Lowe having Delivered his Message returns again into this house

A Message from the Lower house p^r^ Col Wells Cap^t^ Sibrey M^r^ Wickes, M^r^ Hosier, M^r^ Frisby and William Richardson Viz^t^

Lower house of Assembly 22^d^ August 1681.

This house conceive the Preamble of the former Act is well grounded upon the Laws and Constitutions of this Province, and are infinitly troubled that the Upper house Stands with

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us upon Such Niceties to the great Delay and Deferring the Publick and Urgent Affairs of the Province for which we were Conveened, especially by the Incerting a Clause of his Lordships Charter which we always have, do now and always shall own and then left out the Substance of Our Address to his Lordship and which his Lordship did fully Promise and Condescend to Our Speaker upon full Consideration whereof this house do Unanimously Vote that they will stand to and not Recede from those Amendments Sent on Satturday night last having thereby made all the Condescentions they can without Apparent Violating their Priviledges and therein hope the concurrence of the Upper house—

Signed p^r^ Order of the House
C Boteler Cl Assistant to the Lower house of Assembly.

Upper house August the 22^d^ 1681

This house in Answer to the Paper brought from the Lower house by Col Wells &^t^ Do say that his Lordship (as they are well assured) did not Disassent to the former Law which Obliges every County to four Delegates upon Mere Niceties that the Law last Sent down will Sufficiently Secure the Manner of holding future Assemblies which his Lordship and this house thought and are well assured is most for the Satisfaction of the People, that his Lordship did only Promise to pass the Act as to the Number now Settled and to cause to be Elected Delegates to make the Number four for each County pro hac Vice tantum Provided the Lower house would Enter it upon their Iournall as a favour done them but never Consented to give them Satisfaction in any other part of their Address which aimed at things wholly new and unheard of in this Province, and in which the Upper house cannot Concurr with the Lower house—

Signed p^r^ Order
p^r^ J LL Clke of the Assembly—

Sent to the Lower house by Col Taillor and Col Darnell who having Delivered the Same return again into this house

Henry Ward Pet: praying relief against an Act of Assembly made against him Anno 1676: Alleadging that he had been therein Condemned unheard Prayeth Liberty of making his Iust Defence and that the said Act may be Repealed which was thus Subscrib^d^

The Petitioner being a Member of the Lower house and the
p. 302 Crime then Charged upon him being Examined and Condemned there, the Same lyes not before this house but Properly belongs to the Lower House to Purge the Petitioner & give him Relief

Adjourn to Vansweringens
Where they mett as before—

Having no Message from the Lower House Adjourn till to Morrow Morning ten of the Clock— U. H. Journal 1659–98

Aug^{t} 23^{d} 1681 Upper house mett as Yesterday

Col Coursey is desired to go to the Lower house and acquaint them that his Lordship and this house did desire to know whether they thought fitt to Permitt Some Member of their house to Ioyn with One of this house to go and Treat with the Northern Indians at Zachaiah Fort and to Consult with themselves whether M^{r} Stone one of their Members might not be a fitt Person for that Purpose—

Captain William Digges according to his Writt makes his Appearance in this house and takes his Place accordingly producing his Writt—

Cap^{t} Waterton from the Lower house comes and desires the Book of Laws which is Delivered unto him and he returns again into the Lower house

A Message by Cap^{t} Ladd Iohn Edmundson Richard Hall & Francis Billingsley

Viz^{t}—Lower house of Assembly Aug^{t} 23^{d} 1681—

This house well weighing the return of the Upper house to their last Propositions and that the same is a Denyal of the Iust and reasonable Proposalls of this house for the future Election of Deputies or Representatives to Serve in future Assemblies of this Province to which they were Solely inclined to assent to though to their great Disadvantage in having so small a Number of Delegates to Represent the Body of this Province, rather then it should be an Obstruction of Our Consultations about those great and Weighty Affairs his Lordship Declared at the Opening of this Sessions to be the Cause of Conveening the Same and therefore Since Disassented to, this house have Reassumed the Consideration of the Priviledges of this house which upon Serious Examination of the best Records and Authorities of the Customs and usages of the Commons house of England (the only Rule to walk by) Do Nemine Contradicente Vote that it is the undoubted Priviledge of this house that the Speaker of this house issue his Warrants that Writts of Election of Members may issue forth to fill up the Vacant Places of those that are Dead Since the last Sessions otherwise Lawfully Disabled, till which done they think it a very unsafe ill Precedent to proceed to any further Consultations about the great affairs of this Province, and therefore humbly Desire his Lordship to Appoint to whom the said Warrants to that End shall be Directed—

Signed p^{r} Order of the house:

C: Boteler Cl Assistant of the Lower house of Assembly

U. H. Journal 1659-98 p. 303

The Chancellor is Desired to go to the Lower house & acquaint them that his Lordship had Commanded him to tell You he cannot but Wonder how the Lower house of Assembly Assume to themselves a Power here that is not only New to us and unheard of before in this Province, But not Practiced in Virginia, Barbadoes or any other of his Majesties Plantations—

Jn Virginia the Sheriff is bound to Certifie the Decease or Absence in England &ᵗ of any Member of Assembly to the Governor and that under a Penalty and the Governor then issues his Writt for a New Election, not a Word there is heard of the Speakers Writt and yet they are as much Concerned in the Parliament of England as we can be, but they certainly know the Precedents there are impracticable in the Foreign Plantations and therefore Amuse not themselves with things they understand perhaps as little as we and Serve only to foreslow Business and Ruine the Publick—

His Majesty hath the Sole Power to Dispose of his Conquests upon terms he Pleases, is not Tyed to take the Parliaments Consent in his Disposall of them, he Hath granted his Lordship a Patent with Several Powers and Priviledges amongst which Enacting of Laws is one, His Lordship hath Propounded a way for the Settlemᵗ of future Assemblies wherein every County will have as many Delegates as the Greatest County in England Knights, and one County there hath more People then Our whole Province, wherefore his Lordship desires You will give your Positive Answer Whether you will Join with him and the Upper house in the Dispatch of the Weighty Affairs for which he called You and which now press hard upon him, the Enemy being in the Bowells of the Province, and if you will he hath Commanded to Let you know that he will issue Writts pro hac vice tantum to fill up the house with four Delegates for each County—

The Chancellor having Delivered his Message by word of Mouth returns again and Says, they Desire the same in writing which was Drawn and Sent by the Secretary and he returns—

A Message from the Lower house by Mʳ Adams and Mʳ Henly

Lower house of Assembly Augᵗ the 23ᵈ 1681

This house is willing to Comply with his Lordship in all Matters, but his Lordship having not Pleased to Communicate any thing of the Indian affair to this house they know not how to Nominate or give Instructions to any Member of this house for that end not well conceiving why his Lordship pleases to require a Member of this house unless to appear for this house—

Signed pʳ Order of the house

C: Boteler Cl Assistant of the Lower house of Assembly

A Message from the Lower house p^r^ Col Burgess William Hatton M^r^ Stone M^r^ Frisby M^r^ Hosier and M^r^ Garrett— U. H. Journal 1659–98

Lower house of Assembly the 23^d^ August 1681.

This house resolves if his Lordship pleases to cause Writts to issue forth for the Elections to fill up this house as of Right ought to be that then this house will proceed upon Such Matters as shall be recommended to them from his Lordship—

Signed p^r^ Order of the House—

p^r^ C Boteler Cl Assistant of the Lower house of Assembly.

Adjourned till to Morrow Morning Nine a Clock—

24th August 1681 p. 304

Upper house mett and present all as Yesterday only Col Coursey and Col Stephens—

Then read the following Message from the Lower house brought Yesterday after the Adjournment of this house by M^r^ Hall M^r^ Pearce Cap^t^ Ladd M^r^ Ennalls, Cap^t^ Waterton John Stevens M^r^ Dashiel and M^r^ Wolford Viz^t^—

Lower house of Assembly 23^d^ Aug^t^ 1681

This house Humbly Offer that we are Extreamly Grieved that his Lordship makes it Matter of Wonder that this house asserts their Rights and Priviledges rather from the Rules of England then the imperfect Proceedings of the Nominated Colonies, the first being Our Inherent Right yea and Birth right though born in this Province, by the words of his Lordships Charter, and the last both Dishonourable for his Lordship and unsafe for us—

2^d^ Our Propositions can no way be Deemed (as in the last Message impracticable Seeing we have fully prescribed the way and Such a way as is no way Injurious nor Dishonourable to his Lordship—

3^dly^ To liken us to a Conquered People We take very heavily and wish we had not heard and do wonder it should pass the Upper house, But if the Word Conquest intends that we are Subject to Arbitrary Laws and Impositions then we humbly take Leave to believe that they are not his Lordships Words, but the Result of Strange if not evill Council.—

4th That his Lordship hath by his Majesties Charter Sufficient Rights and Prerogatives for an Honourable Government we are Satisfied and that his Majesty has Reserved for us the rights and Priviledges of English Men is that We insist upon

U. H. Journal 1659–98

Lastly Jf his Lordship as by a Message lately Sent please to Cause Writts to issue forth for a New Election to fill up the house as of Right ought to be this house is Resolved to Proceed with all readiness to the Dispatch of all Matters that shall be farther Communicated from his Lordship & the Upper House—

Signed p^{r} Order of the house
C: Boteler Cl Assistant to the Lower house of Assembly.

also this following Message read after Adjournment Yesterday p^{r} M^{r} Sibrey and William Richardson Viz^{t}

Lower house of Assembly 23^{d} Aug^{t} 1681

This house desire the Upper house to Consider the reasonableness of their request to his Lordship to have the Vaccancy of their Members wanting Supplyed according to the Election of the Several Counties, Seeing by the Vote underwritten it is Admitted (according to the former Customs) as their Right at their Discretions to Send as many Delegates as they shall think fitt (not Exceeding the Number of four) to Serve for their County and be their Representatives in Assemblies—

Signed p^{r} Order C Boteler Cl Assistant of the Lower house of Assembly.

p. 305

Jn Answer to a Petition of the Inhabitants of Kent are these Words following

Upper house of Assembly 12th November 1678—

Provided it may be left to the Discretion of every County to Elect One two or more Delegates as they shall think fitt (not Exceeding the Number of four) to Serve for their County in the Assemblies, then this house are of Opinion that it may be Convenient for the Island of Kent to be one Intire County and that the rest of the said County be included into Some other County Contingent or Elected into a New County of it self—

J LLewellin Cl of the Assembly—

True Copy of the Iournal of the Lower house of Assembly fol 53—

C Boteler Cl Assistant of the Lower house of Assembly.

Upper house August the 24th: 1681

An Answer to the Paper brought from the Lower house by M^{r} Rich^{d} Hall &^{t} This house did in no ways Wonder that the Lower house should assert their Rights &c: rather from the Rules of England than the Nominated Colonies but did

instance the said Colonies to have taken the Rules of England in Some Proceedings wherein the Lower house do Differ from them and yet in Such Proceedings the Lower House pretend a Right and Priviledge to themselves from the Proceedings of Parliament in England which this house must still Wonder at— U. H. Journal 1659–98

2dly That Several Priviledges of Parliament are in no ways Convenient and Practicable in this Province or other his Majesties Colonies & therefor this house is of the Same Opinion as before—

3dly.—That this house never likened the Freemen of this Province to a Conquered People, nor did this house in any Sort intend by the word Conquest that the People of Maryland were Subject to Arbitrary Laws and impositions and his Lordship hopes that this Government has no way Deserved that Severe Reflection, and as little that his Lordship Should be Swayed by Strange and evill Councill, which Expressions his Lordship thinks not very civil, and is Confident came not from the Speaker and greater part of the house—

4th: That this house do well know that his Lordships Charter doth Sufficently Provide for an Honourable Government which his Lordship and this House Conceives this Government has been Esteemed ever to be And that for the Freemen of this Province it has also Provided Rights and Priviledges but not Such as the Lower house have last Jnsisted upon—

Therefore Since Some particular Persons of the Lower house have so Strangely Misunderstood the True Sense of what at the Chancellor was Yesterday Ordered to Deliver the Lower house (and which at the request of the Said house was afterwards Sent them in Writing) this house does think it Safest now to be Short by Assuring the Lower house that his Lordship has been at all times ready to Oblige and Shew his kindness to the Good People of this Province and as a farther Testimony thereof his Lordship is Willing to Order the Jssuing out of Writts for the Supplying the Vacant places Provided the Lower house will think fitt to request it as a thing that will Oblige (at this time) the Inhabitants of this Province of whom they are the Representatives, and this we hope will be Sufficient for the Satisfaction of all Persons that Govern themselves by reason and not altogether by Will— p. 306

Signed p[r] Order
p[r] J LLewellin Cl of the Assembly—

Sent to the Lower house p[r] the Secretary and Col Darnall— they return again into this house—

A Petition presented to this house by Henry Stockett of Ann Arundell County praying the Confirmation of a Iudgment Obtained by him against Robert Peca and the Quashing of all

U. H. Journal 1659–98 Iudgments & Orders Obtained by Peca against him there being Errors Assigned in the Assembly and Peca Deceased—
Which Petition was thus under written Viz[t]
Upper house August the 24th 1681
fiat Iustitia is his Lordships Answer to this Petition
Signed p[r] Order p[r] JLL Clerk of the Assembly.

To the Right Honourable the Lord Proprietary of the Province of Maryland &c. in the Upper house of Assembly—

The Humble Petition of Samuel Holdsworth of the Clifts in Calvert County Merchant—
Humbly Desires Your Good Lordship
To Order the Reading of the Bill herewith presented by Your said Petitioner for the Confirming his Title to his Land and upon hearing of the Same that Your Lordship will be Pleased to Order a Committee of both houses to Examine Your Petitioners Witnesses in the said Bill Named for the Making good thereof whereby the Truth of the said Bill may appear to your Lordship
And Your Petitioner shall Pray &[t]

A Message from the Lower house by M[r] Hall, M[r] Waterton, M[r] Ennalls and Captain Ladd Viz[t]

Lower house of Assembly 24th August 1681—
This house willing to leave of all Disputations about Words do now Humbly make request to his Lordship that Writts may Jssue out to fill up this house, well knowing that his Lordships Iust Condescentions to us herein will be matter of great Content and Rejoyceing to the good People of this Province, and therein Crave the Concurrence of the Upper house and his Lordships Gracious Answer—
Signed p[r] Order
C Boteler Cl Assistant of the Lower house of Assembly.

Upper House Aug[t] 24th 1681—
The Upper house are willing to Concurr with the Lower house in requesting his Lordship to issue Writts out for the Supplying the Vacancys in the Lower house for this Assembly (it being as the Lower house Assures us) matter of great Con-
p. 307 tent and Rejoiceing to the Good People of the Province and do accordingly Concurr with the Lower house therein
Signed p[r] Order p[r] J LLewellin Cl of Assembly

Sent to the Lower house p[r] Captain William Digges who having Delivered the Same returns again into this house—

M[r] Carvile and Captain Sibrey came to request his Lordship and this house that the Answer of this house to their last Message almost in terminis with their own Paper might be Endorsed on the backside of their Paper and Sent them with his Lordships Answer— U. H. Journal 1659–98

An Answer to be sent them by a Member of this house

Col Lowe is desired to go and understand of them whether they intended the Concurrence of this house last sent them p[r] Cap[t] Digges should be Endorsed on the Backside of their Paper and sent them or only his Lordships Answer to their request—

Col Lowe returns with the Answer of the Lower house that the Concurrence of this house in the Same Words as was last Sent them may be Endorsed on the back of their Message and returned them it being the Common Custom where both houses Concurr to have the Concurrence Endorsed on the back of the Same Paper and returned again to the Lower house to be kept there—

Col Lowe is again sent to the Lower house to acquaint them that this House knows no Such Custom but think it most proper to keep the Messages of the Lower house for Iustification of their Journal, and not desiring any of the papers of this house to be returned them again from the Lower house.

Col Lowe returns again and for Answer Says they Urge it a Custom to have the Concurrence of this house Endorsed on the back of their Message

Col Taillor is Sent to the Lower house with Col Lowe to Satisfy the Lower house that this house think not fit to part with those Papers which they have to Iustifie their Journal but for their Satisfaction they desire to have the Concurrence of this house Endorsed on the Back of their Message for their perusall and after that to be again Remitted to this house it may be granted to them—

They return again into this house: The Lower house will Explain themselves p[r] a Member of their Own.

M[r] Carvile and M[r] Sibrey came from the Lower house and Said that the intent of the Lower house was only to request the Concurrence of this House to their last Message may be Endorsed on the back side of their Paper and Sent down to be Recorded in their Iournal and then returned again to this house (Viz[t]) not the words of the last Answer sent them but only his Lordships and this Houses Concurrence to their Message—

The Secretary is Ordered to go with the Clerk of this house to the Lower House and to read unto them the Message received first from their house p[r] M[r] Carvile and Cap[t] Sibrey on the other Side which was done and they return again having

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for Answer that the Lower house will Send Answer p[r] a Member of their own—

Adjourn to the Arbour at Vansweringens

There mett according to Adjournment—

A Message from the Lower house p[r] M[r] Carvile M[r] Cheseldyne Col. Burgess Cap[t] Sibrey, and John Edmundson Viz[t]—

The Secretary is desired with Col Lowe to go to the Lower house with the Clerk of this house and to acquaint them that the Upper house say that the Message of the Lower house and the Answer of this house thereunto is already Entered upon the Iournal of this house, as Sufficiently understood by us and therefore return the last Message from the Lower house without taking Notice thereof upon their Iournal and Deem it altogether Needless to have any other Paper Messages of this Nature from either house—

The Clerk is also to read over to them Col Lowes Message to and Answer from them last Sett down fol 22—

The Secretary Col Lowe and the Clerk return again into this house and Report that the Lower house will return Answer again by a Member of their own

Adjourn till to Morrow Morning 9 a Clock—

Aug[t] the 25th 1681 the Upper house mett

Present

The Chancellor	Col Tailler
The Secretary	Col Darnall
The Surveyor Gen[rl]	Cap[t] Digges

at which time read a Letter from the Lord Proprietary to this house

Gentlemen

My Wife being ill and I myself much out of Order is the reason I Shall not be with you so early this Day as other Days I have been; Therefore J send you this to lett you know my Sense of what past the two houses Yesterday; in the first place I thought I had Sufficiently Expresst my good Jnclinations and intentions towards the Members of the Lower house and those they Represent in the first Paper Sent them Yesterday; and also thought two Members of the Lower house Sufficiently Empowered to Deliver the Sense of the Lower house upon that paper sent them which carried the Concurrence of the Upper house; I am Sure the Answer brought to that Paper by M[r] Carvile and Cap[t] Sibrey, was Delivered in the plain Words and terms as it now Stands upon Your Iournal, which was also Strengthened by what Col Lowe brought from the Lower house and is Likewise upon the

Iournal, So that to go back from all this must certainly Destroy all manner of faith, that should be given to Persons under the Qualifications that Mr Carvile and Mr Sibrey were, and in my Opinion So farr from a Priviledge that the Lower house of Assembly may pretend to, that I take such proceedings to be much to their Dishonour, and Such as tend to the taking away all future relyance on and good Correspondence between each house of Assembly; Therefore let me intreat you to Mind them of this, and as I have Been So they shall ever find upon any Occasion—that may not Dishonour the Upper house and also— U. H. Journal 1659–98 p. 309

Your Affectionate Friend C Baltimore

Thus Directed for the Honourable the Chancellor and the rest of the Gentlemen of the Upper house of Assembly By Col Darnall

A Message from the Lower house pr Mr Carvile Capt Sibrey John Edmundson and William Richardson, Delivered pr Mr Carvile to the Chancellor as a Message from the Lower house if this house would accept it—

Lower house of Assembly August the 25th 1681

This house heartily desiring an End to those Debates, do once more (Notwithstanding the Message of the Honourable Secretary Vizt that the Upper house would receive no more Papers from us in this Matter) present the former Message in the Same Words not knowing how to Change them into more respectfull Tearms—

Vizt This house willing to leave of all Disputations about Words do now Humbly make their request to his Lordship that Writts may issue out to fill up this house well knowing that his Lordships Just Condescentions to us herein will be matter of great Content and Rejoiceing to the good People of this Province and herein crave the Concurrence of the Upper house & his Lordships Gracious Answer—

Praying that the Upper house send their Concurrence thereto in Such Manner as hath been usual Vizt (That the Upper house do Concurr with the Lower house), And this house will Humbly wait his Lordships Gracious Answer—

Signed pr Order

C: Boteler Cl Assistant to the Lower house of Assembly

August the 25th 1681—

The Upper house do Conceive that his Lordship hath Sufficiently Expressd his good Inclinations and Intentions towards the Lower house and the Freemen that Sent them, in the first Paper Sent them Yesterday from his Lordship then present in this house and Signed by the Clerk of this house—

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And they do Likewise Conceive that the two Members of the Lower house were Sufficiently Empowered to Deliver the Sense of the Lower house upon that Paper Sent them which carried the Concurrence of the Upper house in Explicitt Terms Sure we are that the Answer brought to that Paper by M^r^ Carvile and M^r^ Sibrey was Delivered in the Plain Words and terms as it now stands upon Our Journal and was also Strengthened by what Col Lowe brought from the Lower house which is likewise upon Our Journal, So that to go back from all this is certainly to Destroy all manner of faith, that should be given to Persons under the Qualifications that M^r^ Carvile and M^r^ Sibrey then Stood and so farr from a Priviledge which the Lower house of Assembly may pretend to that We take Such Proceedings to be highly Dishonourable to the Lower House, as Such as take away all future Relyance on and Good Correspondence between the two houses of Assembly, Wherefore We Send this as the Answer to The last
p. 310 Paper sent this Morning by M^r^ Carvile &c. and Desire the Lower house not to Swerve from what they have done and is Recorded, and We Dare promise them that they shall ever find his Lordship kind on every Occasion that may not Dishonour his Lordship nor Upper house nor Destroy their own Honour—

Signed p^r^ Order—
p^r^ J LLewellin Clerk of Assembly—

Which being drawn from or rather an Abstract of his Lordships Letter was after Debate in this House Voted to be sent as an Answere from this house to the last Message from the Lower house and was accordingly Sent by Col Darnall who having Delivered the Same returns again into this house—

A Message from the Lower hous p^r^ M^r^ Chiseldyne M^r^ Hatton and the Clerk with their Journal He Reports—

That whereas Our last Message Intimates the Answer of their house p^r^ M^r^ Carvile &^t^ Confirmed by Col Lowe they repeate from their Iournal That Col Lowe read the Answere of the Lower house by the Speaker in these Words That that house desired the Concurrence of the Upper house in these Words—The Upper house Concurrs with the Lower house, which Col Low Denies—

M^r^ Chiseldyne from the Lower house desires that they may not be Concluded by any Mistake of their Members, The Chancellor replyes they are left to Consult their own Honours—

M^r^ Chiseldine reports that he is Commanded from their house to acquaint this house that they Conceive themselves not to be Concluded by Mistake of any of their Members, They return into their own house—

The Chancellors reason for Advising the Members of the Lower house to Consult their own Honours he desires to be Entered in the Iournal of this House thus, The Secretary a Member of this house affirming (that Col Lowe Endeavouring to speak there) told them that they had no Commission further to Speak in that house but only read the Paper which they carried with them they could not with Honour enter any thing of that Nature in their Journal U. H. Journal 1659–98

A Message from the Lower house p^r^ M^r^ Carvile Col Burgess Captain Sibrey M^r^ Hatton M^r^ Stone M^r^ Edmundson Viz^t^

Lower house of Assembly 25th August 1681—

Resolved by this house Nemine Contradicente that his Lordships Condescention to the request of this house Sent Yesterday by M^r^ Hall Cap^t^ Ladd M^r^ Ennalls and M^r^ Waterton that Writts may issue to fill up this house is most Iust and Reasonable and what of right ought to be done to this house

Resolved Nemine Contradicente that if Writts do Speedily issue for New Elections to full up this house when the same are so issued this house will Cheerfully proceed with the Upper house upon the Publick affairs of the Province and they desire the Concurrence of the Upper house hereunto otherwise this house Conceives it not Safe for them to proceed in the Publick affairs without Violating the rights & Priviledges of this house

Signed p^r^ Order C Boteler Cl Assistant to the Lower house of Assembly p. 311

M^r^ Cheseldyne from the Lower house desires to know whether his Lordship is Expected in this house to Day—for Answer returned him his Lordship was not well—

House Adjourns till to Morrow 9 a Clock in the Morning

Delivered to the Chancellor to be Inclosed to his Lordship the two Messages received from the Lower house this Day and Copy of this Houses Answer to their first—

August the 26th 1681 Upper house met where Appeared—
The Right Honourable the Lord Proprietary & all as Yesterday Except Captain Digges—

The Papers Yesterday Delivered the Chancellor to be Sent his Lordship returned again into the hands of the Clk—

Col Tailler is Ordered to go to the Lower house and desire them to Remitt to this house the Bill that was Sent them, for Settling Assemblies for the future he returns with Answer that they will Send it by a Member of their Own—

M^r^ Chiseldyne brings it to this house and returns

The Secretary has in Charge from his Lordship to go to the

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Lower House and acquaint them that his Lordship has desire to Speak with the Speaker and Members of the Lower house in this house—

The Speaker and Members of the Lower house Enter this House His Lordship gives them to understand that he was willing for the Satisfaction of the Minds of the People to Consent that not only now during this present Sessions but for the whole Term of this Assembly which he hoped might be of Long Continuance four Burgesses for every County should be called to Sitt in the Lower house which his Lordship did Conceive was the Sum of their request as was likewise the Opinion of this House But for the future he had with the Advice of his Council resolved that in future Assemblies no more than two Burgesses should be Elected for every County of all which his Lordship desires their Serious Consideration—

They return again into their own House—

The above Discourse of his Lordships to the Lower house was Drawn out in Writing Verbatim and Sent to them p^r^ the Secretary he returns again

The Speaker and Members of the Lower house came into this House The Speaker in behalf of the Rest return his Lordship their Humble thanks for his Lordships Gracious Condescention to their Iust request and present a List of their Vacant Members their said request having no Relation to future Assemblies—

Lower house of Assembly Aug^t^ the 26^th^ 1681—

This House humbly desires Your Lordship that Writts may issue for the Supplying the Vacancies of these Members following—

S^t^ Maries County—Walter Hall Deceased
Kent County—Thomas Marsh Deceased—
p. 312 Ann Arundell County—Iames Rigbie Deceased
Charles County—Col Iohn Douglas Deceased
Baltimore County—Cap^t^ Iohn Stansby Sheriff
Talbot County— { Richard Woolman— / Winlock Chirstisson } Dece,d
Dorchester County— { William Ford / Anthony Pall } Deceased
Somerset County— { Col Stevens Esq^r^ Councillor / John White Sheriff

Signed p^r^ Order of the house
Philemon LLoyd Speaker of the Lower house

The return again into their own house

The Secretary is appointed to go and acquaint the Lower house that his Lordship had given him Order to Jssue out

Writts for Supplying the Vacancies of their Members according to their request which they may Please to Enter on their Iournall— U. H. Journal 1659–98

Col Tailler is Sent with the Examination of Cholicke's Wife relating to the Murder at Point Lookout to the Lower house for their perusall Sign,d by the Clerk of the Council—

Mr Carvile and Col Burgess from the Lower House return the Paper last Sent them relating to the Indians which they have perused and are Ready Some of their Members to Join with Some of the Members of this House, in a Committee for further Consultations thereupon and likewise present the following Paper from the Lower house in behalf of Capt Coode Vizt

Lower house of Assembly the 26th Augt 1681—

This house unwilling to Err in any Dutyfull respect to your Lordship and yet to preserve the Rights and Priviledges of this House, have caused a Diligent Search of Such Records and Authorities as might best inform us of the Rights and Priviledges of the Same: The best of which in being are those of Our own Country, upon due Examination whereof we find, that only Felony Treason and refusing to give Security for Breach of the Peace Can Divest any Member of this house of his Priviledge of Sitting in this House as a Member thereof, and not a bare breach of the Peace, much Less an Accusation only of the Breach of the Peace—

Therefore this house Humbly Beseech that the Restauration of the Said Member may be with Your Lordships Good will and Likeing or to Express such Cause as may not infringe the Priviledges of this house

Signed pr Order of this House

C: Boteler Cl Assistant to the Lower house of Assembly—

Upper house August the 26th 1681.

This house by his Lordships Order do say that Capt Iohn Coode being a Member of the Assembly and a Iustice of the Peace did at a County Court held for St Maries County Carry himself So Debauchedly & Profanely that The said Court made p. 313 an Order that he should find Sureties for the Peace and Good Behaviour which Order the Said Coode Contemptuously tore & Disobeyed and for that is to Answere his Lordships Iustices at the next Provincial Court and for this his Lordship Caused him to be put out of the Commission of the Peace in revenge of which the said Coode hath from time to time persisted to Machinate the Ruin of the Publick peace by forgeing and Spreading false Scandalous reports Uttering Mutinous and Seditious Speaches threatning force of ten thousand Men to

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Subvert the Government, and for this was Committed, being Sworn against by Severall Witnesses and cannot be Tryed till next Provincial Court to which he Stands Bound So that upon the whole matter his Lordship and this house do hope and Expect that the Lower house will not think So Scandalous a Person and so great a Disturber of the Peaceable Governm^{t} of this Province fitt to Vote in the Lower house or be accounted a Member thereof till Cleared by the Provincial Court

Signed p^{r} Order p^{r} John LLewellin Clerk of Assembly—

Sent to the Lower house by the Secretary and the Surveyor General who have also in Charge to acquaint the Lower house with Some Scurillous Language used by the said Coode to the Iustices at the County Court (besides what is Contained in the Paper) Viz^{t} they requiring him to give Security in bond of one hundred pounds he told them it was more than they were all worth, And that they were a Company of fools, and he was the head of them; The Secretary and Surveyor General having accordingly Delivered their Message return again into this house—

The Petition of Samuel Holdsworth again read and thus Underwritten Viz^{t}—

Upper house August the 26th 1681

This house read the Bill Exhibited by the Petitioner and return it to the Lower house Desiring them to take the Examination of the Witnesses as is prayed if they think fitt to take the Bill in hand;

Signed p^{r} Order p^{r} John LLewellin Cl of Assembly.

A Message from the Lower house by M^{r} Carvile and M^{r} Wells to acquaint this house that the Lower house do not think the Accusation of Captain Coode Sufficient unless Strengthened by Evidences which they humbly request may be done in their house this Assembly—They returned and an Answer to be Sent them by a Member of this house—

Upper house of Assembly 26 Aug^{t} 1681—

This house do say that Captain Iohn Coode is not Committed as a Member of the Lower house, nor for any Crime Committed in the house, that the Lower house can try no Crime Committed out of their house nor Examine any Witness upon Oath so that Captain Coode ought to Stand and fall by the tryall of the Provincial Court to which he is Bound, and we hope the Lower house will not think fitt to insist further upon any thing tending to his Admittance to Vote in their house till a Iury of Twelve men have quitted him upon hearing the Evidence—

p. 314 Signed p^{r} Order p^{r} Iohn LLewellin Cl of Assembly

Sent to the Lower house together with Holdsworths Bill and Petition p^r^ Col Tailler— U. H. Journal 1659–98

He returns and the house adjourns to the Arbour

August the 27th 1681—Upper house Mett.

{ The Chancellor } { Col Tailler }
{ Surveyor Gen^l^ } { Col Darnall }

Upper house August the 27th 1681.

This house desire to know the result of the Lower house whether they intend to give his Lordship that Satisfaction which he Expected from them in the Seclusion of Captain Iohn Coode from Sitting as a Member in their House untill Such time as he shall have Purged himself at the Provincial Court from what is laid to his Charge, till when this house think not Convenient to Ioin with the Lower house in any Business—

Signed p^r^ Order p^r^ Iohn LLewellin Cl of the Assembly

M^r^ Carvile from the Lower house desires the Book of Laws which was Answered should be Sent them by a Member of this house—

The Book of Lawes together with the above Messages is Sent to the Lower house by Col Lowe who having Delivered the same returns again into this house—

Col Lowe is desired to go to the Lower house and shew them the Deposition of the Honourable William Calvert Esq^r^ taken in this house before the Honourable the Chancellor this Day, and hath in charge also to acquaint them with what his Lordship had Commanded him to Communicate to the Speaker of this house and to bring with him the Deposition back to this house Acquainting them that if they do desire it, they may have a Copy sent them The said Deposition is not intended to be sent them as an Accusation Col Lowe having Delivered his Message accordingly returns and brings with him the Deposition as followeth—

The Honourable William Calvert Esq^r^ saith that going a Board My Lords Yacht in S^t^ Maries River, then Commanded by Captain Iohn Coode (the said Coode having taken Prisoners M^r^ William Pressly and M^r^ Garrett Vansweringen) the said William Calvert Esq^r^ Demanded them to be Surrendered up Saying that he did Believe he the said Coode had not Commission to take his Captain Lieutenant whereupon the said Coode replyed he cared not a fart for him the said William Calvert Esq^r^, Whereupon the said William Calvert Esq^r^ told him that there was both the Chancellor and himself his Superior Officer next to the Governor, Coode Answered again that

U. H. Journal 1659–98 he cared not a Turd for the Chancellor nor the Governor neither, No (he Swore by God) nor for God Almighty Neither, He the said William Calvert Esq[r] asked him what are you a Mad Man, to which he Swore and Said what a Plague do you give me a Commission for;—

Jurat 27° Die Augusti 1681—
Coram me Philip Calvert—

p. 315 A Message from the Lower house p[r] Cap[t] Ladd and M[r] Hall who having Delivered it they return and an Answere to be Sent them if it requires—

Lower house of Assembly 27th Aug[t] 1681

This house having taken into their very Serious Consideration all the Messages from the Upper house relating to Captain Iohn Coode and not finding him Disabled thereby have Voted him a Place in this house and Humbly desire that his Lordship and the Upper house will be Satisfied with the reasons formerly Sent and rest assured that he shall not do his Lordship any Disservice in this house So that we hope his Admission may not impede the Publick Business—

Signed p[r] Order of the house C Boteler Cl Assistant of the Lower house of Assem[bly]

This house Adjourns till Monday Morning 9 a Clock—

Upper house mett Aug[t] 29th 1681.

{ The Chancellor— } { Col Taillor }
{ Secretary— — } { Col Darnall }
{ Surveyor General }

Col Burges and M[r] Chiseldyne came from the Lower house to acquaint this house that they were ready, Some of their Members to Ioin with Some Members of this house in a Committee for Accounts and they return with Answer that this house would Reply by a Member of their own—

Upper house August the 29th 1681—

Refusing to give Security for breach of the Peace is a Sufficient Cause to Divest any Member of the Lower house of his Priviledge of Sitting there as So as hath been Acknowledged by themselves in a Message of theirs to this house of the 20th Instant: Cap[t] Coode hath in the face of a whole Court refused to give Security for Breach of the Peace as by a Transcript of the Record will Evidently Appear and Consequently hath incapacitated himself of Sitting in the Lower House as a Member

thereof this house therefore desire the Lower house to give his Lordship Satisfaction in that Particular— U. H. Journal 1659–98

Signed p^r^ Order p^r^ John LLewellin Cl of Assembly—

Upper house Aug^t^ the 29th 1681

The Upper house being Informed that Richard Hall a Member of the Lower house hath Commanded the Accounts of the Expences of those Members of this house that Lodge and Dyett at M^r^ Garrat Vansweringens, Desire to know by what Authority he hath done it as being an Affront to the Upper house and Breach of their Priviledge, the said Hall Peremptorily calling to two other Members of the Lower House to take Notice of his Demand

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly—

Both the above Messages Sent to the Lower house by Col Lowe together with the Transcript of the County Court Record Concerning Cap^t^ Coode, Col Lowe hath in Charge to tell them as for the first Crime whereof Cap^t^ Coode was therein Convicted it had been remitted by those who had no power so to do and would be called to an Account therefore as well as Coode, and for the other Coode Peremptorily Disobeyed their Order and Positively refused to give Security—

Col Lowe having Delivered his Message returns again into this house p. 316

A Message from the Lower house by M^r^ Cheseldyne and Col Burgess with the Clerk of their house who by his Iournal makes appear that their house having had Information of the Complaint of this house against Richard Hall had taken the Same before into Examination and had received Halls Answer thereunto which was that being told by the Honourable the Secretary that they were fine People, had Spent the Country 100000^Lib^ Tobacco and had done no good made him out of Curiosity ask Vansweringen what had been Spent at his house thereby to Calculate what had been the Publick Expences this Session without any Reflection upon the Members of this house Several of the Members of that house having had Some Expence there, having also to Witness two of their own Members—

This house reply that those two Members are parties and could not be Evidences Did therefore Desire them to Consider further of the Nature of the Affront, the said Hall having had other Base Expressions for and cast Aspersions upon this house in Saying there were weather cocks upon the house and Such Like idle words he had used they return again into their own house—

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August the 29th 1681.

Emanuel Ratcliffe Examined Saith that Iames Tarleton who was a Servant to Waughob told him that Thomas Courtney had forewarned the Miller from going to Church, and the Miller said he would never go to Church so long as he had an hour to Serve & they that did had best look to it—

He likewise Confesses that he Reported that Plimmouth Dublin and Killkenny was Burnt—

A Message from the Lower house by Mr Cheseldyne & Francis Billingsley they Desire, that Since there is not an Officer Appointed them, their Priviledges therein being yet in Dispute, they Desire this house will appoint some Person to go for Vansweringen; This house let them know they will take care to send for him They return again into their own house

The Door keeper of this house is Sent for Vansweringen

Mr Vansweringen is called into the house & his Deposition taken Vizt

Mr Garrat Vansweringen Sworn saith that on Saturday last in the Afternoon he came by the Mullberry Tree where he Discoursed with one of the Burgesses about Repairing the house for the Committee to Sitt in and when he was going Mr Richard Hall called to him having in his Company Mr Frisby and Col Wells (as the Deponent thinks) and Said you must give us an Account of what the Upper house or the Council one of them (but which the Deponent is not certain) hath Spent at your House this Assembly till Yesterday Morning, (which was Friday) The Deponent Answered he could not do it without asking leave of my Lord or Some of the Council for that he knew not whether my Lord might not pay their Expences himself, Mr Hall replyed, No not so Neither, we would not have You Speak to them of it, But give it to us, without that; The
p. 317 Deponent Told him he would not do it without the Advice of my Lord or his Council—Mr Hall then again said it must come before us at last, and We desire only the Total Sum and not the Particulars the Deponent said he could not do it and So left them—

G: Vansweringen

Juravit 29: Augt 1681 Philip Calvert—

The above Deposition Sent to the Lower house pr Col Darnall who is to acquaint them that this house desires them to take good Notice of the Word, must, Col Darnall having Delivered his Message accordingly returns again into this House—

Adjourn till to Morrow Morning Nine a Clock

August the 30th 1681 Upper house Mett U. H. Journal 1659–98

The Chancellor—	
Secretary—	Col Darnall
Surveyor General	Captain Digges

The Secretary is Sent to the Lower house to tell them this house is now fitt and ready to Receive any Message from them—

The Secretary returns again into this House

Mr Cheseldine and Captain Sibrey Came from the Lower house to Know whether this house had ready any Members to Join with Some of the Lower house in a Committee for Accounts, They are Answered that the two Members of this house Designed for that Purpose were not now Present one of them being fallen Sick and the other up with the Indians but was Expected Down to Morrow—

They say themselves are but a Thinn house and in no great hast to Sett out their Committee—They return again into their own house

John Edmundson from the Lower house Desires the Book of Laws which is Delivered him and he returns again into the Lower house—

Upper house of Assembly 30th Augt 1681.

His Lordship called this Assembly principally to Establish a Sure and lasting Way for Defence of the Province, and a Northern Enemy having at this Time a great force actually Beseigeing the Emperor of Pisscattaway in the fort at Zachaiah Contrary to Articles with us made at fort Albany, His Lordship has Iust Cause to think the said Northern Indians have as little will to keep the rest of the Articles then made, and only waite till they have Destroyed Our Allies that they may the more Easily Devour us; Wherefore he hath Earnestly Recommended this Business to the Consideration of both Houses, and requires their Speedy Entering upon it, And in Order thereto We do give Notice to the Lower house of it that they may Appoint Some Members of that house to Ioin with others of this house to Enter upon that affair and to prepare an Effectuall Act for Defence of the Province—

Signed pr Order pr Iohn LLewellin Cl of Assembly—

Sent to the Lower house per the Secretary who returns again into this House

Mr Cheseldyne from the Lower house comes to acquaint p. 318 this house that they had Appointed Some of their Members to Ioin with Some of this house in a Committee for Drawing up a Law for the Defence of the Province—

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This house for Answer reply that they will first Speak with his Lordship and to Morrow will appoint Some of this house to Ioin with them—

Mr Chiseldine returns—

The Oath of Thomas Grunwin read in this house & the following Order thereupon past—

Upper house of Assembly Augt 30th 1681.

Whereas there is a Certain freeman an English man lately come over from Virginia who Reported at William Rosewells in St Maries County that he heard Some Indians in Virginia Discourse of the late Murder of the English at Point Lookout (as is Supposed) upon the Friday after the Murder was there Perpetrated (as upon Oath hath been Averred) and whereas the Said Freeman went from the house of the said Rosewell in Company of Richd Witter of Charles County by the Invitation of the said Witter—

This house willing to be informed of the Truth of the Premisses do hereby Order the said Witter to find out the said Freeman and him to bring to the Upper house of Assembly or to his Lordship and Council to inform them of the Truth of the Premisses and do Order that as well the said Witter as the Said freeman have their Charges borne and be rewarded as the Affair they come about Deserves—

Signed pr Order
pr John LLewellin Clerk of Assembly—

Sent by Col Darnall from this house to his Lordship for his Perusall and its better Dispatch

Mr Cheseldyne from the Lower house comes to this house to acquaint them that they had no Business yet ready to Communicate to this house—

Adjourn till to Morrow Morning 9 a Clock—

Upper house Mett August the 31st 1681

Present

The Honble { The Chancellor, The Secretary, The Survr Genll } { Col Tailler—, Col Darnall, Capt Digges }

Upper house August the 31st 1681

This house have Appointed Col Thomas Tailler and Col William Stevens (when he comes) to Ioin in a Committee with Some of the Members of the Lower house for Adjusting the Publick Accounts this house desire to know the Names of

those Members of the Lower house appointed for a Committee to Draw up the Law for the Defence of the Province that Some of the Members of this house may be Appointed to Join with them U. H. Journal 1659–98

Signed p^r^ Order p^r^ John LLewellin Cl of Assembly—

Sent to the Lower house p^r^ Cap^t^ Digges & he returns again into this house—

A Message from the Lower house by John Edmundson & W^m^ Richardson Viz^t^

Lower house of Assembly 31 Aug^t^ 1681

This house have Appointed M^r^ Attorney General Col William Burges Captain Sibrey, Captain Waterton, M^r^ Iohn Stone, Captain Ladd and Captain Henley to Conferr and Advise about the Defence of the Province against the Indians Signed p^r^ Order C Boteler Cl Assistant of the Lower house of Assembly. p. 319

They return to their own house an Answere if Needfull to be Sent them by a Member of this house,

The Act for the Ordering and Regulating the Militia of this Province and for the better Security and Defence thereof read in this house and Observations thereon Taken as followeth Viz^t^—

Ordered that the Chancellor and Col Lowe Ioin with the Committe for drawing up a New Law, and that the Lower house be acquainted therewith in a Message from this house Viz^t^—

Upper house of Assembly 31 Aug^t^ 1681.

The Honourable the Chancellor and Col Lowe are Designed by this house to Join with the Members of the Lower house Named in a Committee for Drawing up a Law for the Defence of the Province—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly—

Sent p^r^ the Secretary to the Lower house he returns again

A Message from the Lower house p^r^ M^r^ Ennalls and M^r^ Stevens

Lower house of Assembly 31 Aug^t^ 1681.

This house upon Inspecting the Iournal of the Lower house of the last Sessions of Assembly, and finding therein Severall Matters which as they Conceive are much Conducing to the Benefit and Utility of the Publick which were then Considered and Debated of in this house, and no Conclusion thereupon had: Thereupon this house do Humbly Conceive it Necessary

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to remind the Upper house thereof and further Move them therein—

first That Whereas the Building of Ships and Vessells in this Province will be of very great Concern to the Augmenting of Trade and many ways to the Publick Good and Benefit of this Province and the People thereof, therefore this house do think fitt that there be a Clause inserted into the Act for payment of Port Dutys, that no Ship or Vessel Built in or properly Belonging to this Province, Shall for the future pay any Port Dutys—

2dly This house upon Inspection of the Iournal aforesaid do find that the Law for Preservation of Orphans Estates did want Severall Amendments and that his honour the Chancellor did Offer himself to Amend the Same therefore this house desire to know what his honour hath done in the Same—

3dly This house do humbly referr to the Consideration of the Upper house the great Charge the Province is at in Maintaining a Drummer at Provincial Courts and Assemblies, and finding that the Lieutenant General the last Sessions did propose to this house that he would Send for a Bell for the Publick use, But the Same not being as yet done and the great

p. 320

Charge still Continuing this house Do humbly desire his Lordship that a Bell for the Publick use may be Sent for at the Publick Charge and Humbly do desire the Upper house to Concurr with this house therein—

And whereas also upon Inspection into the Iournall of the Lower House of the last sessions of Assembly is found as followeth—Viz^{t}

Whereas this house have found by Experience that Several Guns, Arms, Provisions, Horses, Saddles, Bridles, and other things that have been from time to time pressed for the Service of the Country, which hath been at the next Publick Levy continually paid for and allowed to the particular Owners thereof and though the said Provisions Horses &c have and Still do remain in Divers Private Persons hands and the Country never the Better for them to the great Damage and Loss of the Country in General for the Prevention of the like for the future this house humbly desire the Governor and Council to issue out a Proclamation to Command all Persons whatsoever under Such Penalties as his Honour and Council shall think fitt that have any thing that have been pressed for the Publick use remaining in their hands that they make the same known to the next County Court that so the Iustices of the same County may cause the Same to be Secured for the use of the Publick or returned to the owners thereof where payment hath not already been made for the Same

Signed p^{r} Order C Boteler Cl Assistant of the Lower house of Assembly

An Answer to be sent them by a Member of this house, Mr Carvile from the Lower house desires the form of the last Commission for County Courts to be sent them as Soon as Coppyed out He returns— U. H. Journal 1659–98

Col Burgess from the Lower house comes to Acquaint this house that their Members are ready for the Committee—

This house will Answer pr a Member of their own he returns into the Lower House—

Mr Hatton from the Lower House desires the Book of Laws which is Delivered him and he returns again—

Upper house Augt the 31: 1681—

Jn Answer to the Message received by Mr Ennalls and Mr Stevens this house do Say Vizt as to the first Clause this house desire them to Explain themselves what they Mean by Port Duties, whether Officers fees for Entring and Clearing Ships and Vessels according to Act of Parliament in England, which this house (if so) do think it injustice to the Clerks, who Officiate therein, to take away the Same, or otherwise his Lordships Duties upon every Tunn Burthen which this house Say is a Perquisite Jnherent to his Lordship for the Support of his Government and therefore cannot give their Consent thereto without his Lordship, to whom the Lower house ought more properly to Apply themselves

2dly—The Amendments for the Law for Orphans Estates are ready Prepared and his Honour the Chancellor will cause them to be fairly Transcribed and brought into this house—

3dly The house Concurr with the Lower House to desire his Lordship Provide a Bell for the Publick use instead of a Drummer, as to the Conclusion of their Messages this house do Say that in the Life time of the late Lieutenant Genl Proclamations did issue according to the Tenor of their request but whether the Several Counties received them or not, this house cannot Say— p. 321

Signed pr Order John LLewellin Cl of Assembly—

Upper house August the 31 1681—

This house do intend to Adjourn for two hours that the Members of the Lower house Appointed for the Committee for Drawing up a Law for the Defence of the Province think fitt to come into this Upper Room the Members of this house Appointed to Ioin with them are ready so to Day—

A Message from the Lower house by Mr Chiseldyne Declared that there was a Bill Debated last Sessions but not passed which they Conceive may be among the Papers of the Upper house they desire that the Clerk of this house may Assist one of the Members of their house to Search for the Same—

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He shall in Convenient time, Mr Chiseldyne is desired to Name the Title of the Bill which he cannot, but will Enquire, He returns—

The two foregoing Messages of this house sent to the Lower house by the Secretary together with a Commission for the Tryall of Causes according to the last form in Talbot County returned upon the Alteration of Some Commissioners to be renewed, The Secretary returns again—

And the house Adjourns for two hours

Upper house again mett according to Adjournment

Col Lowe is sent to the Lower house and desire to know of them whether they have any thing ready to Communicate to this house, for that this house was ready to receive it otherwise (it being four a Clock) this house intend to Adjourn—

He returns and reports the Lower house will Answer by A Member of their Own—

Mr Cheseldyne and Captain Sibrey from the Lower house bring a Bill Entituled an Act Restraining the Exportation of Leather and Raw Hides, Deer and Elk Skins out of this Province for the Encouragement of Tanners and Shoe Makers—

Signed by the Cl Assistant of the Lower house of Assembly

Read once and Voted a Second reading to Morrow

House Adjourns till to Morrow Nine a Clock

September the first 1681 Upper house Mett

Present.

The Honourable { The Chancellor, The Secretary, The Sur Genl, Col Coursey } { Col Darnall, Col Stevens, Capt Digges }

The Secretary is Sent down to the Lower house and acquaint them that the Members of this house Appointed to Join with Some of theirs in a Committee are ready So to Do

p. 322 The Secretary returns and the house Adjourns for two Hours

Upper house mett again according to Adjournment

Present as before—

And Adjourn till to Morrow Nine a Clock

September the 2d 1681 Upper house mett

Present

The Honourable { The Chancellor—, The Secretary—, The Sur General, Col Coursey— } { Col Tailler—, Col Stevens—, Capt Digges }

Adjourn for two hours to give way to the Committe to Meet for Drawing up a Law for Defence of the Province— U. H. Journal 1659–98

Upper house mett again according to Adjournment

Present

The Honourable { The Chancellor, The Secretary, The Sur General } { Col Coursey, Col Stevens }

A Message from the Lower house p^r M^r Ennalls and M^r Dashiel being two Bills and they acquaint this house that the Members of their house Appointed for the Committee of Accounts are ready to go out, They return again

Col Tailler being at present an uncertain Member by reason of his Indisposition Ordered that Col Henry Coursey Ioin with Col Stevens in Col Taillers room to meet in the said Committee—

An Act against Divulgers of false News tending to the Disturbance of the Peace and abuse of Magistrates read and Voted a Second reading and Comparing with the former Law to Morrow Morning

An Act for the more Speedy bringing to Tryal and Suppressing Criminalls and Limiting their Punishments for certain Offences when prosecuted in the County Courts read and Voted a Second reading to Morrow—

Col Lowe is Sent to the Lower House to acquaint them that Col Tailler being Indisposed this house have appointed Col Coursey in his room with Col Stevens to Ioin with the Members of the Lower house in a Committee for Accounts, and that this house did desire to know the Names of those Members of theirs Appointed for that Purpose—

Col Lowe returns and Reports that they will send Answer by a Messenger of their own—

A Message from the Lower house by Col Burgess & Iohn Edmundson Viz^t—

Lower house of Assembly Sep^r the 2^d 1681.

This house have Appointed Col William Burgess M^r Richard Hall M^r Iohn Edmundson and M^r Bartholomew Ennalls for the Committee of Accounts and desire that Such Members of the Upper house as they Please to Appoint may proceed to Dispatch thereof—

Signed p^r Order C Boteler Cl Assistant of the Lower house of Assembly

They return into their own house and p. 323

This house Adjourns till to Morrow 9 a Clock

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September the 3d 1681 the Upper house Mett

Present

The Chancellor	Col Tailler
The Secretary	Col Stevens
The Sur Genl	Capt Digges
Col Coursey	

Col Coursey and Col Stevens are sent to the Lower house to let them know that they are ready to Ioin with the Members of their house Appointed for the Committee of Accounts— They return again into their own house—

Col Burgess comes from the Lower house to acquaint this house that they were ready to go out upon the Committee of Accounts—

Col Coursey and Col Stevens go to Ioin with them—

Sent to the Comittee of Accounts pr these following Papers

Mr Hutchins Dorchester County for a Boate & hands 6 Days

Thomas Hudson Dorchester County for 400ll Bacon prest by Major Taylor

Iohn Hance Ann Arundell County for 390ll of Beef.—

Captain Ladd Account, of what Press, in that County—

Francis Collier for 375ll of Beef. a Steer & Ninian Beale for 140ll of Pork one Hogg—

Ninian Beales List of Men under his Command at the Western Branch 1678 to whom a Mo: pay Due:

Robert Webb for Steer 414ll prest by William Kent—

John Blomfields Account 400ll Tobacco to Captain Campbells Soldiers

Captain Campbells List of Soldiers at St Maries Guard 1679.

Iohn Dent for Bridle and Saddle lost at Susquehannah Fort.

Iohn Brookes St Maries County for a Bridle and Saddle lost at Susquehannah Fort

Marmaduke Semme for 25ll Dryed Beef and 30ll Baccon—

Edward Evans St Maries County for 14 Days Service at the Susquehannah Fort under Captain Slye—

Capt Stansbys Pet. & Cert. from Commrs of Baltimore County for the use of Richard Symmons Daughter—

Thomas Kersey Charles County Pet. for Maintenance being Cripled in the Susquehannah Warr—

Evan Iones Charles County Pet for Do for Ditto Account—

John Larkin Account 1010ll Tobacco for Soldiers Expences

Col Burgess Account of Troopers Anno 1679 under Lieutenant Francis—

George Cowley petition for pay for two Horses one 20 Days out and the other 14 to pursue and take Davis—

Captain Cowleys List of Men.

Robert Browns Petition for 48ll Bacon— U. H. Journal 1659–98
Anthony Demondadiers Petition and Account.
Edward Dorsey for himself 15 Days and two Men 12 Days—
Robert Proctors Account— Idem for Boat and Shallop— p. 324
All thus Endorsed Vizt Sepr 3d 1681.
Lett this go to the Committee of Accounts.
J LLewellin Cl of Assembly—

A Message from the Lower house by Captain Ladd being a Bill for Naturalization of Peter Fucate and Cornelius Boyes of Baltimore County which having Delivered he returns—

A Message from the Lower house pr Mr Cheseldyne Captain Sibrey Captain Ladd and Captain Waterton to lett this house know that the Lower house having Sett out their Committee for Accounts have so thinned their house that they cannot Spare any of their Members more to Ioin with those of this house in the Committee for the Defence of the Province and crave time till Monday Morning—

which was Assented to by this house & they return again into their own House—

The house having Sett out their Committee for Accounts referr the reading of the Bill for Naturalization of Peter Fucate &c: as also the Second reading of the other Bills Appointed Yesterday till Monday Morning and finding the Lower house are Adjourned—

The house Adjourns till Monday Nine a Clock

Upper house mett September 5th 1681

{ The Chancellor, The Secretary, Col Lowe } { Col Darnall, Captain Digges }

The Speaker of the Lower house being Absent and no house for that Reason Sitting—This house Adjourns till to Morrow Nine a Clock

September the 6th 1681 Upper house mett

Present

The Right Honourable the Lord Proprietary

The Honourable { The Chancellor, The Secretary, The Sur Genl, Col Coursey— } { Col Darnall—, Col Stevens—, Captain Digges }

Return made by Thomas Witter to an Order of this house of the 30 of Augt last thus

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Jn Reference to and Order from the Upper house of Assembly Dated August the 30th 1681.

J being at the house of Mr William Rosewell in Iune last I heard a Young Man Say as he was a Travelling in Virginia he mett with three Indians that were Painted that had Some Discourse with an Indian that was in Company with him Saying Something about the late Murder that was then Committed in Maryland which made him Mistrust that they were Some of the Actors but from the time I left Mr Rosewells house I never Saw him again Neither do know what is
p. 325 become of him and to the best of my Memory his Name was Richard Mannering, Attested by me the first Day of Septemr 1681.

Thomas Witter—

His Lordship gives this House to understand that he had received a Letter from Ninian Beale of a Robbery committed at the Western Branch another Letter from Lieut Francis of a Robbery also Committed in Ann Arundell County, he proposes whether it might not be Convenient to acquaint the Lower house therewith and Move them for a Party of Dragoons to be out Ranging at the heads of Each County for a Month or Six Weeks for Guard and Preservation of the Inhabitants during this time of Danger Voted in the Affirmative Nemine Contradicente—

Upper house of Assembly 30th Augt 1681.

His Lordship the Right Honourable the Lord Proprietary having Communicated to this house a Robery Committed on the Western Branch and Another in Ann Arundell County by the Northern Indians (as is Conceived in their return Homewards as by the Informations of Captain Beale and Lieutnt Francis in their Letters to his Lordship hath been Sett forth and highly to be Suspected that other Robberies and Mischiefs may be done Else where upon the Inhabitants which as yet may not Pointly be Discovered, Voted in this house Nemine Contradicente that the Lower house be also made acquainted therewith and Moved for their Consent, That not only the Troope in Charles County but a Convenient party of Dragoons in each respective County of this Province be kept. Ranging about the heads of the Counties for a Month or Six weeks till Such time as the Season of the Year may remove all Opportunities of Mischief to be done by the said Indians, this house conceiving the Same to be of Absolute Necessity for the Safety and Preservation of the Inhabitants of this Province in this time of Danger and Recommend the Same as so, to the Consideration of the Lower house desiring their Unanimous Consent and Concurrence hereunto—

Here is likewise Some Suspition of ill, Designed by the Eastern Shore Indians, for Information whereof the Lower house are referred to Cap[t] Henry Trippe and Doctor Brookes Members of their own house as also to Cap[t] Iohn Stanesby, accordingly as they have Informed his Lordship U. H. Journal 1659–98

Signed p[r] Order p[r] J LLewellin Clk of Assembly—

Sent to the Lower house by Col Coursey and Col Stevens who after Delivery go to their Committee

Col Stevens from the Committee of Accounts brings to this house Jacob Youngs Petition and Accounts which having Delivered he returns to the Committee—

Sep[r] the 6th 1681

The within Accounts of Iacob Young are referred to the Consideration of both Houses—

Nick: Painter Cl of Committee

A Message from the Lower house by M[r] Gardner & Captain Sibrey

Lower house of Assembly 6th Sep[r] 1681

This house taking into their Consideration the last Message from the Upper House do desire his Lordship the Lord Proprietary to Communicate to this house those Letters from Captain Beale and Lieu[t] Francis concerning the Robberies Supposed to be Committed by the Northward Indians, or So much thereof as have relation to the Information aforesaid p. 326

Signed p[r] Order of the house C. Boteler Cl Assistant to the Lower house of Ass[bly]

Which Paper was Sent to his Lordship then at S[t] Maries by Col Darnall

Brought to this house at the Same time by the Same Members—

An Act for Naturalization of Lewis Blange & Peter oldsone— and an Act for preventing Vexatious Suits at Law, Voted a reading at Leizure this house going to Inspect the Accounts of Iacob Young—

Col Tailler Enters the house—

Col Darnall also with Ninian Beales Letter which his Lordship Sent by him to be Communicated to the Lower house not having Francis Letter now with him but Col Tailler who knew the Contents thereof can Jnform them, if that will not Satisfie them his Lordship will Send them the Letter to Morrow—

Col Tailler is accordingly Sent to the Lower house with Beales Letter and hath in Charge also to Communicate to them what he Knows of Francis's Letter—

On the Back of Iacob Youngs Accounts was thus Written Viz[t]

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Upper house September the 6th 1681—

This house upon Inspection had into the Councill Book do find that Severall Orders from his Lordship and Councill have been Directed to Col George Wells concerning the Northern Indians which this house is Sensible could not well be Managed without the Assistance of Jacob Young the Lower house is Desired to inform themselves from the said Col Wells how often and in what manner the said Young hath been Employed So as to reward him accordingly & this house will Concurr—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly—

Col Tailler having Delivered his Message returns again into this house

A Message from the Lower house by M^r^ Robert Carvile M^r^ Hatton Col Wells, Cap^t^ Ladd Cap^t^ Henley, M^r^ Richardson, D^r^ Brooke M^r^ Frisby, M^r^ Hosier and M^r^ Woolford.—

Being an Act for Confirmation of the Laws of the Province in this and future Assemblies, which having Delivered they return again into their own house—

Jacob Youngs Account and the Answer of this house thereupon Sent down to the Lower house p^r^ Col Darnall Col Darnall returns again into this house—

Several Papers brought into this house by William Berrey and Richard Johns for the perusall of this house, the reading which is Referred to a more Convenient time this house at present having other Business before them, The Exhibitants are Dismissed till further time for Ans^r^

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Upper house September the 6th 1681

This house are of Opinion that the first part of this Act is needless being Undoubted that a Law made by the Consent of both houses and Assented to by his Lordship cannot be repealed but by the Consent of both houses—

The latter part this house conceives too Dangerous for the Lord Prop^ry^ ever to Ioin with the Lower house in requesting his Lordships Assent to it, Neither ought We to Wonder at his Lordships former Proceedings in Reserving a Power to Disassent after his Lieutenant here shall have Assented to any Laws made in his Absence, Since the Governor of Virginia hath no other Power to assent to Laws there then his Lordships Lieu^t^ hath here, nor as We are informed hath his Majes^ties^ Lord Lieutenant of Ireland any greater power there, nor William Penn himself in his Province of Pensilvania, Since by an Express Clause in his Pattent his Laws are not So binding Laws but that at any time within five Years after they are Enacted there, his Majesty can make them no Laws by his

Majesties Dissassent to them, But for the Satisfaction of the Lower house this house are ready and willing to request his Lordship that if at any time hereafter his Lordship shall See Convenient to Dissent to any Laws assented to by his Lieu[t] Generall or Chief Governor in his Absence, Such his Lordships Disassent may be Published by Proclamation within this Province So Soon as Possible may be, & untill Such Publication made the Laws aforesaid be and Continue Binding— U. H. Journal 1659-98

Signed p[r] Order
p[r] J LLewellin Cl of Assembly—

The Act for Confirmation of the Laws of the Province in this and future Assemblies, read in this house and presented to his Lordship (now in Town) by the Honourable the Secretary with the Opinion of this house thereupon in the above Message (Desiring his Lordships perusall and Approbation whether the Same as it is may be remitted to the Lower house now or to Morrow

The Secretary returns and Signifies to this house his Lordships Approbation of the Answer of this house to the Law abovesaid—

The Same is Sent to the Lower house by Col Lowe, who also in Charge to acquaint them that the Law now returned them being a Matter of so great Importance this house thought not fitt to let it Sleep in this house, and did therefore return them with the Answer of this house thereupon, Col Low returns again into this house—

The house Adjourns to his Lordships at the Council Chamber

Upper house met at the Councill Chamber
according to Adjournm[t]
And Adjourns till to Morrow Morning 9 a Clock—

Upper house mett September the 7th 1681—

The Honourable { The Chancellor, The Secretary—, The Sur General } { Col Taylor, Col Darnall }

Then taken into Consideration the Papers brought into this house Yesterday By William Berry and Richard Iohns Voted they be Transmitted to the Lower house with the Answer of this house thereunto in the Words fol: p. 328

Upper house Sep[r] 7th 1681.

Upon reading the Papers Delivered Yesterday by William Berry & Richard Iohns, this house do say that if the Rights

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and Priviledges of a free born Englishman Settled on him by Magna Charta so often Confirmed by Subsequent Parliaments can be preserved by yea and Nay in Tryalls and other Occurrences the Lower house may do well to prepare Such a Law & the Upper house will Consider of it

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

A Message from the Lower house by M^r^ John Rousby & Captain Henry Trippe

Lower house of Assembly Sep^r^ the 6th 1681.

This house taking the last Message relating to Indians into their Serious Consideration do conceive that the raising a Standing Troop in each County will Advance a greater charge then the present Danger Seems to require but do rather pray his Lordship to command the Severall Colonels or Majors that they cause frequent Musters and out of their Trained Bands &^a^ that they send out Some Scouts or Rangers at Such Frontier places and of Such Numbers as Such Commanders shall think most Necessary and Convenient and these to be called in and Supplyed by Equall Levying out of the Trained Bands of the respective Counties, and this manner we conceive may give what Security can be Expected from Rangers, And we hope Answer the present Danger & prevent a Publick Charge, if any greater Violence be Offered and Murther Committed hereafter we Submitt to his Lordships great prudence—

And that his Lordship will be pleased to Order that Such Persons who have the Trust of the Publick Magazines Supply all such Rangers with Arms and Ammunition out of the said Magazines for the use aforesaid—

Signed p^r^ Order of the Lower house

C Boteler Cl Assistant of the Lower house of Assembly

The Answer of this house together with the Papers Delivered in Yesterday by Berry and Iohns transmitted to the Lower house by Col Tailler—

who returns again into this house—

Upper house September the 7th 1681.

Upon reading the Answer from the Lower house to the Paper Sent from this house relating to the Indians, this house desire the Lower house to Explain themselves in these particulars Viz^t^ what they mean by the words (Supplyed by equall Levying out of the Trained Bands) if they mean no more but that when Twenty or thirty Men are called in, as many fresh Men shall be sent out, then we desire to know how these Scouts or Rangers shall be paid or Satisfied—

2d What they mean (by) We Submitt to his Lordships great Prudence) for if it Amount to Levying of Men Troopers and foot Soldiers this house desires to know in what Manner those Men shall be paid U. H. Journal 1659–98

Signed pr Order John LLewellin Cl of Assembly

Sent down to the the Lower house pr Col Darnall he returns again p. 329

The Honourable the Chancellor according to his promise last Sessions produced a Law for Orphans Estates with Amendments which is now Entituled an Act for the better Administration of Iustice in Probat of Wills granting Administrations, Recovery of Legacies and Securing filial Portions which was read and Debated.

A Message from the Lower house by Captain Waterton & Capt Ladd Vizt

Lower house Septemr the 7th 1681.

This house intended that the raising of Men for Rangers upon the Frontiers might be Levyed So equally upon the Trained Bands, whereby the Burthen thereof may be so Equally born that no charge may arise either to the Publick or County, and that the Number be left to the Discretion of the Principall Officer Guided by the Emergencies of the Occasions, and this was intended for the present Security—

2dly What this house Submitted to his Lordships Prudence was upon any new Accidents or Murders (which God prevent) which might occasion a Warr that then his Lordship raise Such forces as shall be conceived Necessary, & the payment be made either according to the Rule of the present Law for Regulating the Militia or according to Such Alterations thereof as may now be thought Necessary, either by raising every Twentieth, tenth, or Such Proportionate manner of Number of Men, to be paid by Such ten or Twenty Men &t or otherwise as shall be Agreed on in the Amendment of that Law.—

Signed pr Order C Boteler Cl Assistant of the Lower hous of Assembly

Voted that the two Messages of the Lower house this Day and the last Message of this house in Answer to their first be presented to his Lordship for his perusall, and the Cl of this house being Sick this house adjourns till to Morrow Nine a Clock—

Upper house mett Sepr 8th 1681

Present—

The Honourable { The Chancellor, The Secretary, The Sur Genl } { Col Tailler, Col Darnall }

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Upper house September 8th: 1681

The Honourable the Chancellor by Order from his Lordship hath Signified this Day to this house that his Lordship intends to come in person into this house on Monday next to appoint a Day of Sessions and hath Ordered that his Lordships pleasure herein may be Communicated to the Lower house which is hereby done to the End that both houses may Unanimously Ioin in Dispatch of the Publick Business

Signed p^r^ Order John LLewellin Cl of Assembly—

Sent to the Lower house by the Secretary he returns again into this house

Upper house 8th September 1681.

This house desires to know of the Lower house whether
p. 330 they can spare the Members of their house appointed for a Committee to draw up a Law for Defence of the Province for that the Members of this house thereunto also Appointed are ready to receive and Ioin with them—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

Sent to the Lower house by Col Darnall he returns

A Message from the Lower house by M^r^ Chiseldyne and M^r^ Rousby to know whether his Lordship intended Monday for Day of Sessions or them to Name the Day—They are Answered that his Lordship intended then to Appoint the Day of Sessions as by their paper Message was Expressly recited they return

A Message from the Lower house by M^r^ Cheseldyne and Captain Sibrey who acquaint this house that their Members Committees for Draw: up a Law for Defence of the Province are ready—

Lower house of Assembly 8th Sep^r^ 1681.

This house having presented to the Upper house Severall Bills Viz^t^

An Act restraining the Exportation of Leather and raw Hides—Deer & Elk Skins out of this Province—

An Act against Divulgers of false News

An An Act for Punishment of Offences in the County Courts

An Act for preventing Unnecessary & Vexatious Suits at Law

Do pray the Concurring Assent of the Upper house therein and their Speedy Answer thereunto—

Signed p^r^ Order

p^r^ C Boteler Cl Ass^t^ of the Lower house of Assembly

Upper house September the 8th 1681— U. H. Journal 1659–98

This house desire the Lower house to Explain themselves in their new phrase of (Concurring Assent) Signified in their last Message not being according to the Common Practice of Assemblies in this Province, which upon passing of any Bills has been by these Words—the Upper house Assent the Lower house Assent, and which shall still be made use of by this house without Introducing any new Method or way of Speaking—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

Cap^t^ Ladd and D^r^ Brooke from the Lower house bring an Act for confirming the Title of a Parcell of Land in Calvert County in Samuel Holdsworth and his heirs against Edward Husbands and his heirs against Edward Husbands and his heirs for ever which was thus Endorsed—

Upper house Sep^r^ the 8th 1681—

This house desire to know of the Lower house upon what Grounds they have proceeded in passing the Bill in favour of Sam^l^ Holdsworth for Confirming the Title of a parcell of Land to him, when this House is Credibly informed that the other Party Edward Husbands hath not been heard by them nor made any Defence and so Consequently must be concluded unheard—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly.

A Petition of Peter Fucate and Cornelius Boyes for Naturalization read and thus underwritten— p. 331

Upper house have Assented
J LLewellin Cl of Assembly—

The Petition of Lewis Blangy and Peter Oldsone read & thus Underwritten

September the 8th 1681 The Upper house have Assented
J LLewellin Cl of Assembly—

An Act restraining the Exportation of Leather &^t^ read and thus Endorsed

Upper September the 8th 1681

This house do think the Act restraining the Exportation of Leather &^ta^ were a good Act if the Tanners of the Province were Obliged to take and Tann all the Hides &^a^ that are to be purchased in the Province, but if the Tanners be not

U. H. Journal 1659–98 Obliged to take them at a reasonable price to be Sett by both houses it is an injury to the People to restain the Exportation of them, and therefore desire the Lower house to consider of this and add Such a Clause to the Act or otherwise lay the Act aside

Signed p^r^ Order p^r^ J LL Cl of Assembly.

Holdsworths Act and the Message of this house concerning the Words Concurring Assent is Sent to the Lower house p^r^ Col Lowe who is also to tell them that this house hath the rest of the Bills before them and will dispatch as fast as can be— He returns

He is again Sent to the Lower house with the Naturalization of Fucate and Boye, and Blange and Oldsone also the Act restraining the Exportation of Leather &^t^ He returns again—

The Act against Divulgers of false News read the Second time & thus Endorsed Viz^t^

Upper house September the 8th 1681.

Upon Second reading this house do think the Act against Divulgers of false News is not Sufficiently Penall, and that the Common Law Defends the Iudges and Iustices of Peace better then this Law—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

Sent to the Lower house by Coll Darnall who is Ordered to Desire the Members Committees of the Lower house to come into this room into the Committee for that this house did intend to Adjourn: He returns—

The house Adjourns till to Morrow 9 a Clock—

September the 8th 1681 The Upper house mett—

Present

The Honourable { The Chancellor, The Secretary, Col Coursey— } { Col Tailler, Col Darnall, Col Stevens }

On the back side of a Petition of William Boarmans being Employed in the Countrys Service was thus Written Viz^t^—

Upper house September the 9th 1681.

This house do think that the Two Thousand pounds of Tobacco Allowed Major Boarman the last Assembly for his p. 332 Service to the Country Was farr Short of his Meritts this house well knowing the Pains & trouble he was at therein being the only Interpreter we have had to Rely upon, and hath accord-

ingly been Sent for upon all occasions which this house Desire the Lower house to take into their Consideration so as not only to Make up to him what they fell short of last Assembly but also to Gratifie him for what he hath Since done accordingly as he hath Deserved from the Country— U. H. Journal 1659–98

Signed p^r^ Order p^r^ J LLewellin Clk of Assembly

A Motion made in this house by a Member thereof that all English Women that work in the Ground may be taken as Taxables within this Province for the time to come Voted So to be Nemine Contradicente—.

Upper house September the 9th 1681.

The Lower house are Desired to Expedite their Committee for consulting the Defence of the Province thereby to prevent the Effusion of Christian blood for which (if not Speedily taken care for) We can be Answerable Neither to God nor Man—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

Sent to the Lower house by Col Darnall; he returns again—

Voted that if Col Lowe come not by Such time as the Committee are ready then Col Tailler take his Place with the Chancellor to Join with them—

Heads to Treat on in the Committee Viz^t^

The State of the Case—

Here is at This Instant a Body of 500 Indians Spoiling & Plundering not only the Indians but the English Plantations also—

Jt cannot be believed that English will permitt the Plunder though the Government would wink at it, But the Government must See it and provide for it, and the Security of the Lives of his Majesties Subjects before any Murder be Committed, Since if we Sitt still till the Indians have Committed Murder, We can neither Answer it to God nor his Sacred Majesty—

1^st^ The first then to be Considered is what force is Necessary—

2^d^ How Shall they be paid

3d: Shall we protect the Pisscattaway Indians So to be furnished with Scouts, and Men that know how to fight the Enemy at his own Weapons by Surprize—

All Articles made with this Enemy have been broaken by them because they have ever found Us a People bent to follow Planting and Patient Sufferers of their Affronts and Plunder, therefore it is high time to Shew them such a force as may let them see We are able to make them keep Articles hereafter, which may be made in due time & Place if We be not too Narrow handed in Making Provision for Warr—

Col Lowe Enters the house—

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A Message from the Lower house by M^r^ Cheseldyne who acquaints this house that their Members Committees are ready to Wait on the House he likewise brought these following Bills Viz^t^ The Act for Confirming the Title of a Parcell of Land in Calvert County in Samuel Holdsworth and his heirs against Edward Husbands and his heirs for ever thus Endorsed Viz^t^—

Lower house of Assembly Sep^r^ the 8th 1681—

The Grounds and reasons that induced the Lower House to pass this Bill were Such as therein Expressed and in the Affidavits herewith Sent to the Upper house, and because the within Named Edward Husbands is fled out of this Province so that Holdsworth is remediless both in Law and Equity unless he be Assisted this way which they leave to the Consideration of the Upper House— Signed p^r^ Order

p^r^ C Boteler Cl Assistant of the Lower house of Assembly

An Act Restraining the Exportation of Leather &c: thus Endorsed Viz

Lower house of Assembly Sep^r^ 8th 1681 :

This house conceives that the great Disparity of Hides in Goodness will not Admitt of any certain Rate to be putt upon them and therefore cannot reasonably lay any Such Injunction as is Desired by the Upper House But this house do Believe that this Act will much Augment the Number of Tanners within this Province whereby the Price of Hides will be much Advanced to the Profitt of the Owners that way, besides that it will Conduce much to the Supply of the Inhabitants—

Signed p^r^ Order C Boteler Cl Assistant of the Lower house of Assem^bly^

Also the following Message Viz^t^ 7th Day of September 1681.

This house doth Conceive the Upper house Mistaken in the Act for Confirmation of Laws Sent them Yesterday by this house

As to the first part thereof this house never Questions but takes it for Undoubted that a Law made by both houses and Assented to by his Lordship cannot be repealed but by Consent of both Houses—

But the desire of this house for the Upper houses Concurrence is (as by the Preamble and Sense of the former part of the Act may appear) that all Laws made the last Session of Assembly (which they hold and Conceive still in force) may not be repealed, Abrogated, Made Void or Disassented to without the Consent of this house—

As to the Second part of the said Act and the Second part

of the Message thereupon Sent us, This house doth not Conceive wherein the Danger (Intimated in the said Message) Consists, if the Upper house mean it Dangerous for his Lordship (as the best Construction of the Words Seem to Import) it Seems an Infringement of his Lordships Due Rights and Priviledges Granted him by his Charter, wherein his Lordship hath an Ample and Large Power by Consent of the Freemen of this Province to make Laws that shall be good and Valid under Such particular Limitations and Restrictions therein Expressed— U. H. Journal 1659–98

Jf they meane that is Dangerous for their Honours to Ioin with the Lower house in Requesting his Lordships Assent to the said Act, the Sense (without any force or Violence offered to the Word) Seems to infringe the Priviledges of both houses of Assembly; as if they might not (without a great Deal of Danger) present their Equitable and Iust Desires to his Lordship and includes a Tacite Accusation of this house in preparing of a Bill for his Lordship or Upper house of Assembly or both to Consent to, But how Dangerous soever it may Appear to the Upper house to have or Desire his Lordships Consent to the said Bill this house conceive it not Safe nor reasonable for this house to proceed to the Making or Consenting to any other Acts or Bills without it— p. 334

As to the Presidents of Ireland (for we put it before Virginia) or Virginia or Pensilvania this house conceives them not proper Precedents for this Country being by his Lordships said Charter Constituted into a Province were the Information true their Honours alledge—

As to the last part of the Answer, which the Upper house intended for Satisfaction to this house, This house doth Answer that Nothing can or ought to be Satisfactory to us, or the Freemen of this Province (whom we Represent) unless we are Ascertained of the Validity force and Continuance of the Laws of this Province under which we live, and from whence we Expect protection and Safety and to the Enacting of which we have been and Still are Lyable to So much Trouble & Expence

Signed p[r] Order of the Lower house
C Boteler Cl Assistant of the Lower house of Assembly

The Debate of all which referred till Another time the Committee being ready to Meet and—

This house Adjourns for two hours—

Mett again and Adjourn till to Morrow Morning 9 a Clock.

September the 10th 1681 Upper house mett

Present

The Honble { The Chancellor, The Secretary, The Sur Gen[l] } { Coll Coursey, Col Tailler, Col Stevens }

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The Chancellor Signifies to this house that his Lordship had Commanded him to acquaint this house that on Thursday next his Lordship intended to conclude this Sessions and that Notice thereof be given to the Lower house

Upper house Septem[r] 10th 1681

His Lordship the Right Honourable the Lord Proprietary hath Commanded the Honourable the Chancellor to Signifie both to this and the Lower house that his Lordship intends Thursday next for the Day of Sessions, The Enemy pressing so Boldly upon us. that there is now no further time left for Consultation—

p. 335 Signed p[r] Order J LLewellin Cl of Assembly

His Lordship Enters the house and Declares in Person that he intends Thursday next for the Day of Sessions,—

The Chancellor with Col Coursey and Col Stevens go to the Lower House to Signifie the Same to them as also to carry to them Coll: Courseys & Coll: Stevens Negotiation with the Northern Indians upon their own Propositions thereby to Notify how the same have been Observed by the said Indians, as also to read to them his Lordships Message to both houses—

The Chancellor Coll: Coursey and Coll: Stevens return again the Chancell[r] Signifying that he had desired the Speaker of the Lower house so Soon as he had read his Lordships Message in their house and Caused the Same to be Entered in their Journal that they would remitt the Same to this house to be Entered in this Journal—

A Petition and Several other Papers relating to Iacob Leslier Transmitted to the Lower house for their perusall & Consideration thus Endorsed

Upper house Sep[t] the 10th 1681.

The Lower house are Desired to peruse and take into their Consideration these Papers of M[r] Lesliers and to do therein what to Equity and Justice Appertaineth—

Signed p[r] Order p[r] J LLewellin Cl of Assembly

Read in this house a Petition from the Inhabitants of Kent County against Ingrossers forestallers &c. also one from the Inhabitants of Charles County concerning the Same which were both referred to the Lower house by this Endorsment on back of the Charles County Petition—

Upper house September the 10th 1681

Two Petitions Viz[t] one from Charles County the other from Kent Co[ty] against Ingrossers &[t] read and referred to the Consideration of the Lower house

Signed p[r] Order J LLewellin Cl of Assembly—

A Message from the Lower house p^r^ M^r^ Hill and M^r^ Gardner being a Petition of Major Boaremans for redress to be made him towards his Loss Sustained by Captain Quigleys Escape for Default of a Prison or place of Security for which he paid 450^ll^ Sterling, Returned back to the Lower house p^r^ M^r^ Hill and M^r^ Gardner, Jaeob Lesliers Papers and Kent & Charles County Petitions against Jngrossers also Ioseph Norwoods Petition for better Allowance to be made him for being Master of the Generals Sloop Six weeks at the Eastern Shoare for which they had Allowed him only 400^ll^ of Tobacco which Petition was thus Endorsed Viz^t^ U. H. Journal 1659–98

Upper house September the 10th 1681—
Referred to the Consideration of the Lower house
John Lewellin Cl of Assembly.

Major Boaremans Petition read and thus Endorsed Viz^t^

Upper house Sep^t^ the 10th 1681.
The Consideration of this Petition is refferred to the Lower house
Signed p^r^ Order John LLewellin Cl of Assembly.

A Message from the Lower house p^r^ Coll: Burges, M^r^ Cheseldyne, M^r^ Rousby and Captain Brandt Viz^t^ p. 336

The Lower house September the 10th 1681

This house having received Severall Commands from Your Lordship to take into Our Speedy Debate the great Dangers that threaten this Province by the Incursions and Daily Robberies of the Northern Indians, and to Advise Your Lordship for the Common Safety & Security and having taken all the Arguments thereof into Our Long and Serious Deliberation Do offer this as Our humble Answer & Advice to Your LordShip:—

That we humbly thank your Lordship for your great Condescention in Adviseing with your Freemen in a Matter of that Nature and of so great an Importance—

That Your Lordship being the best Iudge of Persons and things We humbly Submitt Our Selves to Your great Wisdom and Prudence—Humbly Desiring Your Lordship to take this present great Affair of the aforesaid Northern Indians (in makeing either Peace or Warr with them as to your Lordship shall Seem most Convenient) into Your Sole Conduct and Management—

And that if Your Lordship Shall be pleased (upon these Grounds and reasons Exhibited to this house) to Enter into a

U. H. Journal 1659–98 Present Warr with the aforesaid Indians, this house doth humbly Offer and promise to Assist Your Lordship with their Persons and Estates in the Prosecution of the said Warr and shall be willing to Satisfie all the Necessary Charges thereof in Such Methods and Proportions as are in the present Act for the Safty and Defence of the Province which this house is willing to revive Nothing Doubting but your Lordship will take Such Due Care in the Management of the said Warr, (if any Such be) that by any unnecessary and Exorbitant Charges thereof it may not become more Oppressive Greivous and Burthensome to the poor People of this Province, than the frequent Robberies and Spoils that are and may be Committed upon the Inhabitants by the aforesaid Northern Indians

Signed p^r^ Order C Boteler Cl Ass^t^ of the Lower house of Assem^ly^

They likewise at the Same time brought with them Several Letters and papers which had been Communicated to them for his Lordship concerning the Indians—

Upper house September the 10th 1681.

Jn regard the Lower house have Resolved upon the reviving the last Law for the Ordering and Regulating the Militia of this Province this house desire the Lower house to Send the Committee for Defence of the Province to Expedite that affair—

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly.

p. 337 Sent to the Lower house p^r^ the Secretary together with Major Boarmans Petition which the Secretary hath in Charge to tell them they may Consider of at their Leisure=he returns—

Amongst those Papers brought last p^r^ Coll: Burges &^t^ was his Lordships Letter Ordered to be Entered in this Iournall

Gentlemen

10th September 1681

This is the third time I have been Alarmed, as also the third time I now advise you thereof, the Condition of Charles County is Somewhat Desperate: and how Soon other Counties may feel the Same you may easily Guess, No Persons in their right Witts and Senses will any longer take Such for their friends as Daily Robb and Committ all manner of Insolencies on their Persons Nor can any Man think it Safe to bear such any Longer; By a Warr ag^t^ those Northern Indians somewhat may be Saved; but if no Speedy Course be taken, the Estates will first be theirs and then Our lives will be next at their Mercies, I wish no Murders have already been Committed if

any I must Declare such ought not to Lye at my Door that have so often Sollicited you to Secure yourselves and those you Represent; and if my Word may be taken it was for that reason you were at this time called together U. H. Journal 1659–98

Your Loving friend C: Baltimore

To both Houses of Assembly

A Message from the Lower house p^r^ M^r^ Cheseldyne to inform this house that their house understands by this house with the Committee for Defence of the Province must then Adjourn whereby all Business between the two houses must be Stopt, they Desire therefore that this house will first take the Bills sent from the Lower house into their Consideration so as to Send them the Result of this house thereunto—

For Answere he hath that some of the Members of this house are already out upon the Committee of Accounts who must upon reading any Bills be called in and so their Business impeded, this house therefore desire to Expedite the Committee for Defence of the Province—He returns into the Lower house—

House Adjourns till Monday Morning 9 a Clock—

Upper house mett September 12th 1681

Present

The Honourable { The Chancellor, The Secretary, The Sur General } { Coll: Coursey, Coll: Taylor }

Coll: Lowe in Obedience to his Lordships Commands goes to the Lower house and tenders to the Speaker thereof a Letter from Coll: Chandler concerning the Indians to be Communicated to the whole house and then returned again to his Lordship, which having done he returns again into this house—

They will Send the Paper by a Member of their own M^r^ Cheseldyne brings Coll: Chandlers Letter and desires to know whether the Members of this house appointed for the Committee of Accounts are ready— p. 338

He is Answered the Law for Regulating the Militia &^t^ is now drawn up and shall be read first in this house—

A Message from the Lower house by M^r^ Hatton and M^r^ Waterton being for the return of S^t^ Maries County Writt, which is Delivered them and they return—

Coll: Stevens Enters—

The Law for Ordering the Militia read and passed this house—

Coll: Coursey and Coll: Stevens go to the Committee of

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Accounts Mr Rousby and Captain Sibrey comes from the Lower house with Lesliers papers and desire to See the Contract between Governor Notely and Mr Leslier upon Coll: Courseys Negotiation—

This house knows nothing of it they return

Mr Rousby, Captain Smith, and Mr Hynson come from the Lower house and desire the Answer of this house to the Severall Bills Sent up which this house promised should be this Day done—

Answered that if the Lower house will call in their Committees and Send up the Members of their house appointed for a Committee to Draw up a Law for Defence of the Province, this house after they had done with that would proceed to the reading the other Bills and remitt them down to the Lower house with the Opinion of this house thereon

They return—

The Vote of a Member of this house September the 9th fol 57 concerning Women Servants to become Taxables again Moved and Voted that the Same be Sent to the Lower house Vizt—

Upper house September the 12th 1681

Whereas Divers and very Many the House keepers Inhabiting within this Province do frequently Purchase Women Servants and Employ them to work in the Ground on purpose to be Exempted from paying Levys by which Means the Levys are more Burdensome to the Province in Generl than otherwise they would be, this house do therefore desire the Lower House to Prepare a Law providing that all Women Servants working in the Ground for the future shall be Accounted and taken for Taxables. within this Province—

Signed pr Order pr John LLewellin Cl of Assembly—

Mr Chesildyne and Mr Hill from the Lower house desire the Answer of this house to their Bills, which have been Some Eleven Days in this House, When the Members from the Committee to make up a full house this house will read them—

The Act for preventing Vexatious Suits at Law, thus underwritten Vizt

This house desire the Concurrence of the Upper house—

Signed pr Order C Boteler Cl Asst of the Lower house of Assembly

Which Act was also thus Endorsed Vizt

Upper house September the 12th 1681—

P. 339 This house understands not the Meaning of the Lower

house in Desiring the Concurrence of this house, unless it be a Bill Assented to by the Lower house, if so, this house desire the Same may be so Expressed & Signed by their Clerk, and then this house will take the Same into their Consideration— U. H. Journal 1659–89

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly—

Sent to the Lower house p^r^ Coll Lowe together with the Message of this House concerning Women Taxables he is also to desire them to Expedite up their Committee for Defence of the Province—

Col Lowe sent to them again to tell them that their Bills are now before this house but cannot be passed or rejected till the house be filled which cannot be without calling in of the Committees; He returns again—

The Secretary is Sent to the Lower house to know of them whether they will Send up the Committee for Defence of the Province; He returns again

Thomas Holdsworths Bill and Several other Papers relating thereunto taken into Debate & thus was Endorsed (Viz^t^)

Upper house September the 12th 1681.

Jt doth not appear to this house that the Consideration is paid by Holdsworth from any the Affidavits inclosed so that till the Same be made appear to this house the Bill doth not properly Lye in the way of their Consideration—

Signed p^r^ Order p^r^ J LLewillen Cl of Assembly—

Sent by Coll: Lowe to the Lower house and
House Adjourns for an hour to Meet the Committee

Upper house Mett present as before

The Act restraining the Exportation of Leather &^t^ read again & thus Endorsed Viz^t^/

Upper house Sep^r^ the 12th 1681

The Lower house are Desired to Draw this Bill up fair in Such terms as they please and lett the Same first pass their house and their Assent be Certified by the Clerk of their house, it the usuall words, the Lower house have Assented, and then this house will think the Same fitt for their Consideration

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly

Sent to the Lower house by the Secretary, He returns and
House Adjourns till to Morrow 9 a Clock

U. H. Journal 1659–98

Upper house mett September the 13th 1681

The Right Honourable the Lord Propry

The Honourable { The Chancellor, The Secretary, The Sur General, Col Tailler— }

Coll: Lowe goes to the Lower house with Severall Letters and Papers relating to fresh Injuries done by the Indians in Baltimore County and the head of Patuxent River and to let them know that Captain Ninian Beale now in Town can give them a further Relation of the Insolencies and Injuries done by the said Indians/

Proposed to this house whether upon the Oath of Chotickes Wife and the Evidence of one Richard Mannaringe that came
p. 340 from Virginia soon after the Murder was Committed it may not be convenient to make Demand of the Young Kings Son of Nanjattico who stands accused thereof—

Voted Nemine Contradicente that he be Demanded of the Government of Virginia and that a Letter be prepared from this Governmt to that purpose and Sent by the Secretary—

A Message from the Lower house by Mr Cheseldine being to return the Letters and papers last Sent them by Col Lowe, he also acquaints this house that they had Sett out a Committee to perfect the Law for the Militia—He returns again

A Message from the Lower house pr Capt Ladd Vizt/

Lower house of Assembly Sepr 12th 1681

On the Back of the Message of this house Yesterday concerning Womn Taxables

Jf the Upper house conceive it Necessary to make such a Law, the Lower house desire them to Prepare a Bill for that Purpose, and this house will take it into their Consideration, not readily Conceiving how to Distinguish between Such as work in the Ground and them that do not which last We suppose is not intended—

Signed pr Order

C Boteler Cl Assistant of the Lower house of Assembly

Likewise the Bill in favour of Holdsworth, Signed the Lower house have assented

C Boteler Cl Assistant of the Lower house of Assembly

Capt Ladd acquaints this house that Mr Painter cann make appear that 10000ll of the Purchase Money is paid and that the Major part of the Remainder is Attached in the hands of the said Holdsworth pr Order of Court

Thomas Bankes Petition for 1248 ll Tobacco to be Allowed him for Ferrys according to Account last Assembly put in, but

not Allowed as allso 294 ll Tobacco Short Ordered him of what was Allowed that Assembly—which Petition was thus Endorsed Vizt— U. H. Journal 1659-98

Upper house September the 13th 1681
Let this go to the Committee of Accounts
Signed pr Order pr Iohn LLewellin Cl of Assembly—

By Mr Hill and Capt Sibrey brought to this house the Act restraining the Exportation of Leather &t thus Endorsed Vizt

This house is willing to pass this Act leaving out the last Clause for giving the Oath to the Master or Masters at the Clearing their Ships or Vessels—
Signed pr Order
C Boteler Cl Assistant of the Lower house of Assembly

They desire the Answer of this house to the Bill concerning Small Criminalls—Answer—
This house could not read it till their Committee comes in from the Accounts for till then this house was not a full house—
Adjourn for two hours

After two hours Upper house mett according to Adjournment
Present as before—

A Message from the Lower house by Mr Cheseldyne being the Bill for the Militia with Some alterations according to their Paper hereafter following, Desiring also an Answer to what other Bills are in this house— p. 341
An Act for the better Administration of Iustice in Probat of Wills &a read and passed this house in Manner following Vizt—

September the 13th 1681 Upper house have Assented.
Iohn LLewellin Cl of Assembly

Sent to the Lower house by the Secretary who is to let them know that according to the Vote of both houses last Sessions, The Chancellor had drawn up the Law for Orphans Estates with the Necessary Amendments which had passed this house
Then read the Paper of the Lower house for Amendment of the Law for Regulating the Militia &t and the Act also read with it—
A Message from the Lower house by Mr Rousby being an Act for preventing Vexatious Suites at Law—

U. H. Journal 1659–98

The Lower house have Assented
C Boteler Cl Assistant of the Lower house of Assembly—

Mr Rousby also from the Lower house desires the Answer of this house to the Bill for Leather &c:

The Amendments of the Lower house on the Bill for the Militia is thus Vizt

Lower house of Assembly September 13th 1681.

Amendments in the Law for Regulating the Militia and for the better Security and Defence of the Province Vizt—

1st That the Clause left out in the new Law in the latter No 2 being in the third Article in the old Book, be again put in the New law—

2 That the third Clause in the New Act be as the fourth Clause in the former Act without Alteration—

3 That the Clause at the end of the fifth Article in the new Law be left out.

4 That the Penalty mentioned in the Sixth Article in the new Law be made only 500ll of Tobacco a piece for Commissioners Neglecting & Press Masters refusing

5 That in the Eighth Article of the New Act which is the Ninth in the old Act be continued as it Now is

6 That the last Provisoe in the Eleventh Article in the New Law which is the 12th in the old Law be left out, This house is willing to pass the Act aforesd with the Amendments herein Expressed.

Signed pr Order C Boteler Cl Assistant of the Lower house of Assembly

Coll: Low is desired to go to the Lower house and know of them what they Mean by their fifth Clause concerning the 8th Article of the New and the 9th of the old Act to be continued as it now is, whether it relates to the New or old Act

He returns and reports that those words (as it now is) hath relation to the old Act which they would have Continued—

Upper house Sepr the 13th 1681

This house will Consent to all the Amendments in the Bill for Ordering an Regulating the Militia &t Made by the Lower house, Except,—

p. 342 1 They cannot consent to the leaving out the words in the latter end of the fifth Article in the said Bill begining (we his Lordships most humble Servants the Members &t because they are the very Words of the Vote of the Lower house this very Assembly and the only words that Sufficiently Assure his Lordship of the Payment of the Charge of the Warr, neither

doth these words Oblige the Magistrates &t to Serve beyond the Intent of the last Law the Clause ending in Such Methods and Proportions as by this Act is Limited and Provided— U. H. Journal 1659–98

2 If the Proprietary or his Lieut and Council have not Power by this Act to pay the Pensions of Widows and Orphans of the Slain Souldiers, by the words of the old Act, they cannot pay one Single Widdow even out of the 50000 ll of Tobacco they are Impowered to Levy yearly, but must call an Assembly to do it, or permitt her to Starve till an Assembly can be called.—

So as above this house are willing to pass the Act, and if the Lower house think fitt they may Proceed to Ingrossing the Bill—

Signed pr Order pr J LLewellin Clk of Assembly—

The Act for Preventing Vexatious and unnecessary Suite at Law read in this house and passed in Manner following Vizt Upper house have Assented

J LLewellin Cl of Assembly—

Sent to the Lower house by Coll: Tailler who having Delivered the same—

The house Adjourns till to Morrow Nine a Clock—

Septemr the 14th 1681 Upper house Mett—

Present

The honourable { The Chancellor, The Sur Genl, Coll: Tailler } { Coll: Coursey, Coll: Stevens }

A Petition of the Inhabitants of Kent County to have their former Priviledges of Keeping Courts Electing Delegates &t with an Addition of Easter Neck at Wickliffe to be made thereunto read and thus Endorsed—

Upper house September the 14th 1681

The Consideration of this Petition is humbly referred to his Lordship in whose Sole power the same lyeth—

Signed pr Order pr I LLewellin Clk of Assembly

A Petition preferred by Iacob Iohnson of St Maries County having Married the Widdow of Hance Jordaine who was killed at the Fort leaving his Wife big with Child in a Miserable Poor Condition who soon after was Delivered of two Children the one whereof Dyed the other still living, Hance Jordaine Died in Debt which the Petitioner hath paid and hath ever Since Maintained the other Orphan by his own hard Labour, and prays Consideration for what is Past & for the

U. H. Journal 1659–98

future Maintenance of the Said Orphan—which Petition was thus underwritten Viz[t]

Upper house Septem[r] the 14th 1681
Let this Petition to the Lower house to be duely Considered of and Transmitted to their Committee—
Signed p[r] Order p[r] J LLewellin Cl of Assembly—

p. 343

A Petition of Clement Hills for Allowance of 4075 [ll] Tobacco Arrears for Sallary of Collecting publick Tobacco thus Subscribed Viz[t]—

Upper house Sep[r] the 14th 1681
Left to the Consideration of the Lower house
Signed p[r] Order p[r] J LLewellin Cl of Assembly.

The three foregoing Petitions sent to the Lower house by Coll: Lowe who hath in charge to desire them that (if the Bill for Regulating the Militia &[t] be ready for the consideration of this house, they would Send it up for that this house must Adjourn to send out their Committee upon Accounts—

He returns the Lower house will Send Answer presently by a Member of their own—

The Act Restraining the Exportation of Leather leaving out the last Clause for giving the Oath to Masters &[ta] at their Clearing pass[d] in these Words Viz[t]

Upper house Assent with Exclusion of the Latter Clause.
John LLewellin Cl of Assembly—

Sent to the Lower house p[r] Col Lowe—

A Message from the Lower house p[r] M[r] Iohn Rousby and Cap[t] Sibrey who acquaint this house that they are preparing the Engrossing the Bill for the Militia according to the Sense of their own house now Sent up Viz[t]

Lower house of Assembly September the 14th 1681.

Jn Answer to the Message sent to this house Yesterday by Coll Lowe Concerning the Amendments in the Bill for Ordering and Regulating the Militia &[t] this house do Say—

That they never desired the Upper houses Consent to the Leaving the Words out of the said Bill, intimated in the said Message, it being never Voted nor intended by the said house, that they should be put in—

First because they are not the very words of the Vote of the Lower house as is Obvious by the word (Notwithstanding) intruded into the said Vote, which is a Relative word and as placed in the said Bill quite Subverts the Nature Sense and intendm[t] of the said Vote—

Secondly because the said Vote was only an humble Expression of the Voluntary and Zealous resolution of this house to Serve his Lordship against those present Dangers that now threaten us from the Northern Indians, and therefore the desire of the Upper house to have the Said Vote inserted in the said Bill Seems too great an Imposition on this house and Argues us too Stupid and Insensible of Our Priviledges, Neither is the said Vote att all Necessary for the Assuring the Payment of the Charge of the said Warr, It being Sufficiently Provided for otherwise by the sad Act— U. H. Journal 1659–98

Thirdly because the said Vote was only to Serve his Lordship against those Northward Indians aforesaid (if his Lordship shall think fitt to make a Warr against them) and yet beyond the intent and Words of the said Vote, We are Obliged (as it is placed in the said Bill) in the rigour and strictness of the Said Vote, to Assist his Lordship with Our Lives and Estates against all foreign and Domestick Warr, whatsoever during this Act, whereby for ought appears to the contrary by the said Act, the very individuall Estate of every Particular Member of this house beside the Attendance and Hazard of his Person is lyable and Obliged by this Act to the Maintenance of any Such Warr— p. 344

Wherefore this house do say that it is unreasonable and unsafe and against their Priviledges, and therefore they can never Assent to insert the Said Vote in the said Bill as desired by the Upper house—

As to the last part of the Message this house is willing and it was always their intent that the Proprietary or his Lieutenant and Council should have power in and by the said Act yearly to pay the Pensions due to Maimed Souldiers or to the Widows and Orphans of Souldiers Slain in the Service of the Country out of the said fifty thousand pounds of Tobacco per Annum to be raised as in the said Act is Provided, and that the said New Act be drawn up accordingly—

Signed p^{r} Order C Boteler Cl Assis^{t} of the Lower house of Assembly

Coll: Coursey and Coll Stevens are Sent to the Committee of Accounts

And the house Adjourns till three a Clock in the afternoon.

Mett again and Adjourn till to Morrow Morning.

Septem^{r} the 15th 1681 Upper house mett

Present

The Right honourable the Lord Proprietary

The Honourable { The Chancellor, The Sur Gen^{l}, Coll: Coursey } { Coll: Tailler, Col Stevens }

U. H. Journal 1659–98

Coll: Lowe is Sent by his Lordship from this house to communicate to the Lower house two Letters received Yesterday One from Major Lane the other from Lieutenant Francis and Captain Gassaway relating to the Insolencies of the Northern Indians having killed a Negroe and Wounded two English in Ann Arūdell County one Mortally—

A Message from the Lower house by Captain Sibrey being the return of the Letters last Sent them—

Coll: Tailler Sent home to look after the County.

A Message from the Lower house p^r M^r Cheseldyne, Hill, Richardson, Stevens, Edmundson, and Iohn Goddin being Severall Bills—

An Act restraining the Exportation of Leather and Raw hides Deer and Elk skins—

An Act for relief of Such who for tenderness of Conscience cannot swear or take an Oath in any Case whatsoever—

An Act for the Better Administration of Iustice in Probat of Wills granting of Administrations recovery of Legacies & Securing filial Portions

The two former of which passed the Lower house in these words—Lower house have Assented—

C Boteler Cl Ass^t of the Lower house of Assembly

The last Act for the Better Administration of Iustice &^t they
p. 345 are willing to pass Provided it may be a Terminate Act for three years or to the end of the next Session of Assembly—

Coll Coursey and Coll: Stevens go to the Committee of Accounts

Upper September the 15th 1681.

Whereas this Day is the Day Appointed to end this Sessions of Assembly and whereas there is yet little done for the Defence of the Province now Distressed and Besett with the Northern Indians who have Murdered and Plundered the Inhabitants of this Province his Lordship desires to know the las^t Result of the Debates of both houses in relation to the Defence of the Province that he may conclude the Sessions, and Dispatch the Officers now in both houses to their several Commands

Signed p^r Order p^r Iohn LLewellin Cl of Assembly

Adjourn for two hours

Upper house again mett

Present as before.

Coll: Lowe is Sent to the Lower house to know of them what Answer they intend by this house to be given to his

Lordship to the last Message of this house concerning the Defence of the Province— U. H. Journal 1659–98

He returns and reports they are providing an Answer to be sent to this house

A Message from the Lower house by Coll: Burgess, M^r^ Hill, M^r^ Rousby, Cap^t^ Smith, Cap^t^ Trippe and William Richardson being Viz^t^—

An Act for payment of all Such Charges as may arise this Present year 1681 by forces that may be raised for the Suppression of the present Insolencies and Outrages of the Northern Indians untill the tenth Day of November next Ensuing passed the Lower house as followeth—

The Lower house have Assented
C Boteler Cl Ass^t^ of the Lower house of Assembly

An Act for the Ordering and Regulating the Militia of this Province & for the Security and Defence thereof passed the Lower house thus Viz^t^

September the 15th 1681 Lower house have Assented.
C Boteler Cl Assistant of the Lower house of Assembly

also this following Message Viz^t^

Lower house of Assembly Sep^r^ the 15th 1681

This house desire an Answer from the Upper house to all Such Bills and Papers as Lye before them from this house Viz^t^

An Act for more Speedy bringing to Tryall & Suppressing Criminals &c:

An Act for relief of tender Consciences &c:

An Act for restraining the Exportation of Leather Hides &c.

An Act in favour of Samuel Holdsworth &c:

This house also desires the Upper houses, Answer to their last Paper concerning the Act offered the Upper house for Confirmation of the Laws of this Province and all other Bills and Papers now lying before them Belonging to this house— Signed p^r^ Order C Boteler Cl Ass^t^ of the Lower house of Assembly

A Petition by Simon Sprattling Attorney of William Ben of Leverpoole Merchant for Allowance of two Musquetts with 450 ll Tobacco Presst from aboard the Ship Swann of Liverpoole about four years Since by M^r^ Vansweringen and about three years Since 253 ll of Cheese presst from said Ship by M^r^ Iohn Barnes for the Countries use Valued at 1265 ll Tobacco in all 1715 ll Tobacco, thus underwritten p. 346

U. H. Journal 1659-98

Upper house September the 15th 1681.
The Lower house are Desired to consider of this Petition—
Signed p^r^ Order p^r^ J LLewellin Cl of Assembly—

A Message from the Lower house p^r^. Coll: Burgess and Cap^t^ Trippe being an Act concerning Negroes and Slaves—

Upper house September the 15th—1681
This house upon reading the Act for payment of all Such Charges as may arise this year 1681 &c. Do Say as it is Possible the Charges of Warr between this Day and the tenth of November next may not arise to the Sum of three hundred thousand pounds of Tobacco so it is possible they may Amount to more, and that in Such case his Lordship may be Lyable to pay the Overplus himself unless the two houses of Assembly do join in a Vote to be left upon their respective Iournalls which may Oblige them to pay the Overplus if any be for this present Occasion The Clause in the Act for Ordering and Regulating the Militia &c: leaving it in the Power of the Delegates to Deny their consent to the Charges of Such Warr next meeting, and therefore this house desire the Lower house to Joyn with them in Such a Vote, and to permitt and Send it up, The Upper house not being Willing to impose words upon the Lower house—
Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly

Sent to the Lower house p^r^ Col Darnall—
Vansweringens Petition for Allowance for the Maintenance of Iames Wilkinson being cast out of the Lower house, read and thus Endorsed—

Upper house September the 15th 1681—
Jf the Lower house of Assembly will not Consider of the Petition so as to Order Some Allowance to be made thereupon as the Petitioner himself hath Alleadged, this house without them can think of no relief for the Petitioner
Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly

The Act for the better Administration of Iustice in probat of Wills &c: again read and Voted that a Clause be Added to the latter End thus Viz^t^—
This Act to endure for three years or to the End of the next General Assembly which shall first happen—
An Act restraining the Exportation of Leather &c: read and pass^d^ thus Viz^t^

Upper house have Assented Sep^r^ the 15th 1681—
John LLewellin Cl of Assembly.

The Act Concerning Negroes and Slaves read and Voted Viz[t] U. H. Journal 1659-98

Upper house September the 15th 1681.

Jn the Act concerning Negroes and Slaves if the Lower house think fit to Impose a Penalty of ten thousand pounds of Tobacco as well on the Master, Mistress, or Overseer of Such Negroe or Slave as shall willingly or Wittingley forward, Countenance or Consent to any Such Marriage, as upon the Minister Priest or Justice that shall Join them together, and will also rase out the Clause for Dissolution of any Such Marriage if any shall (Notwithstanding all the Care and industry that may be used) happen to be, which Lyes not within either or both the two houses to Dissolve, This house are willing to pass the Act. p. 347

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly—

The last Mentioned three Acts and Simon Prattlings Petition Sent to the Lower house p[r] Coll Lowe—

Upper house September the 15th 1681.

Considering the late Insolencies Outrages and Murders Committed by the Northern Indians, and a Warr thereupon likely to Ensue, This house desire to consult the Lower house whether it may not be convenient to Protect and Preserve the Pisscattaway and other Our friend Indians; it being a Matter of Absolute Necessity in the Opinion of this house—

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly

Sent to the Lower house p[r] Col Stevens, He returns again

A Message from the Lower house p[r] M[r] Hill and Cap[t] Sibrey Desiring an Answer those Papers that Lye in this house, and are preparing an Answer to the Message p[r] Col Darnall

This house so Soon as they can have duely Considered them will give them an Answer—

His Lordship finding the Business of the Country cannot well be Dispatched at this time hath appointed a further Day till Saturday next for a Day of Sessions—

House Adjourn till to Morrow

Upper house mett Sep[r] the 16th 1681

Present—

The honourable { The Chancellor, The Sur Gen[l], Coll: Coursey } { Coll Darnall, Coll: Stevens }

U. H. Journal 1659–98

Upper house September the 16th 1681—

This house desire an Answer from the Lower house to the Message Sent them from this house yesterday p[r] Coll: Darnall to Ascertaine the payment of the Charges of a Warr, what shall Amount to more then 300000 [li] of Tobacco Expressed in the Act if any Such Overplus shall be—

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly

A Message from the Lower house by M[r] Rousby, Cap[t] Ladd, Cap[t] Brandt Cap[t] Waterton Cap[t] Tripp, & M[r] Smith being the Bill for Confirmation of the Laws of this Province &[t] and that following Message therewith—

Lower house of Assembly 16th Sep[r] 1681

This house having all along Complyed with all the Equitable Desires of the Upper house During this Sessions of Assembly, and Seconded all their other Answers and Votes with their reasons for which the Same were passed, which
p. 348 They conceive themselves not Obliged to without great Infringement of their Priviledges, and having formerly Sent up among the rest one Bill Entituled an Act for Confirmation of the Laws of this Province, in this and future Assemblys which was soon returned with the Opinion of the Upper house thereon, to which this house with Convenient Modesty and Respect Sent an Answere, but that hath lain a long time and still lyes in the Upper house, whereby this house knows nothing of the Intention of the Upper house concerning the said Bill, Have therefore once more sent up the said Bill desiring their Assent to it, or that they would Send us Sufficient Answers to Our reasons for the same, now in their house or other reason more Solid and Demonstrative to the Contrary than We have had hitherto from them, without which this house must needs Confess themselves much Dissatisfied and Discontented; which may Obstruct the Expediting the present Affairs now before us—

Signed p[r] Order C Boteler Cl Ass[t] of the Lower house of Assembly.

Upper house 16th September 1681—

This house having read the Message from the Lower house Sent with the Bill Entituled an Act for Confirmation of the Laws of this Province &c, do say that the sending down the said Bill again to the Lower house with the reasons why they did not think fitt to pass it, was more then they were Bound to, Since they might have rejected it without giving any reason

That it is against the Priviledge of this house to have the Same Bill Obtruded upon them again the Same Sessions of

Assembly and more against their Priviledges to have their reasons more Solid and Demonstrative Demanded of them as the Lower house urges in their paper— U. H. Journal 1659–98

The Instances of Ireland, Virginia, and Pensilvania, in the first Paper are true his Lordship himself when his Fathers Lieutenant never had more Power then he gave to his Late Lieutenant M^r^ Notley nor is it Safe even for the People and Province his Lordship should give more Power to any other and therefore this house cannot take the said Bill into further Debate—

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Sent to the Lower house by Col Darnall he having Delivered the Same returns again into this house Coll: Coursey Disassents to the above Vote of this house and Desires the Same may be Entered in this Iournall—

A Message from the Lower house p^r^ Cap^t^ Ladd and Doc^r^ Brooke being to desire the return of the Bill for Confirmation of the Laws &c which was Delivered to them and they return to their house—

Coll: Coursey and Coll: Stevens go to the Committee—

Coll: Lowe Sent to the Lower house to Desire an Answer to the first Paper Sent them this Morning from this house—

He returns again they Desiring to know whether this house were a full house, The Door keeper is Sent for Coll: Coursey and Coll: Stevens—

They Enter the house—

Coll: Lowe goes to the Lower house to lett them know that now this house are a full house ready to receive any Message if they have any to Offer to this house p. 349

Coll: Lowe returns, the Lower house will send by a Member of their own

A Message from the Lower house by William Richardson, Iohn Stevens, Captain Trippe and M^r^ Goddin, They Enquire for the Bill of those of Tender Consciences and the other for Petty Larceny, To which this house replyed they will take them into their Consideration in Due time—

Lower house of Assembly Sep^r^ the 16th 1681

This house in Answer to the Message Yesterday Sent them by Col Darnall Do conceive that in case a Warr Should Ensue with the Northern Indians & that the Charges of Such Warr Should Exceed the Sum of three hundred thousand pounds of Tobacco by them yesterday Granted for that Purpose, that the Surplusage of the Charges of the said Warr (if any Such Charges should be) are or will be Sufficiently Provided and Secured by the Act for the Defence of the Prov-

U. H. Journal 1659–98

ince &ᵗ which Orders that the Charges of Such Warr, Shall be paid and Discharged by a Publick Levy by an Equall Assessment upon the Taxables of this Province by the Consent of the Freemen of the Province by their Representatives in Generall Assembly & no otherwise

Signed pʳ Order C Boteler Cl Assᵗ of the Lower house of Assembly

Upper house September the 16th 1681.

This house being Informed that the Emperor of Pisscattaway is coming or Sending down to his Lordship, Desire the Speedy Answer of the Lower house to the Paper Sent them yesterday, Desiring the Opinion of that House whether they ought to be protected now that the Northern Indians have Murdered Some People in this Province and are Become Our Enemies as well as theirs

Signed pʳ Order pʳ Iohn LLewellin Cl of Assembly

Sent to the Lower house per Col Lowe he return again into this House—

A Message from the Lower house pʳ Capᵗ Brandt & Mʳ Smith Vizᵗ

Lower house of Assembly Sepʳ the 16th 1681.—

To the Message brought this Day by Col Lowe to this house from the Upper house Desiring to Consult this house about the Protection of the Pisscattaway Indians, this house do say that they have left the Affair of Warr or Peace in Relation to the Northern Indians to his Lordships Sole Conduct and Management and therefore think it inconvenient and improper for this house to be Consulted about any Mediums or Circumstances thereof the matter of the Protection of the said Jndians having Considerable relation thereunto

Signed pʳ Order C Boteler Cl Assᵗ of the Lower house of Assembly.

House Adjourns till to Morrow Nine a Clock—

Upper house mett September the 17th 1681

Present

The Right Honourable the Lord Proprietary

The honourable. { The Chancellor, The Survʳ Genˡ, Coll: Darnall } { Coll Coursey, Coll: Stevens }

p. 350 A Message from the Lower house by Mʳ Cheseldyne, Mʳ

Rousby. Mr Hatton, Mr Hill, Capt Sibrey, Mr Smith, William Richardson, Mr Addams, Mr Rebotham, Capt Trippe, Capt Ladd, Mr Frisby Vizt U. H. Journal 1659–98

An Act concerning Negroes and Slaves—

An Act for reviving certain Laws within this Province thus passed

Sepr the 17th 1681 The Lower house have Assented—
C Boteler Cl Assistant of the Lower house of Assembly.

The Act concerning Negroes and Slaves thus passed

September the 16th 1681. the Lower house have Assented
C Boteler Clk Assistant of the Lower house of Assembly.

also an Act for Confirmation of the Laws of this Province in this and future Assemblies also passed the Lower house thus—

September the 17th 1681 The Lower house have Assented—
C Boteler Cl Asst of the Lower house of Assembly—

Together also with this following Address Vizt

May it please Your Lordship
We the Delegates and Representatives in this present Generall Assembly make this our humble Petition and Address to your Lordship—

That having taken into Consideration the Inconveniencies that may happen in Case of Your Lordships Departure at any time out of this Province, and not Sufficiently Empowering in your Absence Your Lordships Governor or Lieutenant Generall to give a full and Absolute Consent to Such Laws as may then be Enacted, for remedy of which this house having prepared one Good and Equitable Bill which is herewith all presented to your Lordship Entituled an Act for the Confirmation of the Laws of the Province in this and future Assemblies, and Sent the same unto the Upper house of Assembly, afterwards Seconded with Severall Good and Unanswerable reasons, to induce their Honours Assent to the Same, which to Our great Grief and Dissatisfaction after some Considerable Delay was returned Disassented to whereby We have been Left frustrated (so far) of Our Innocent and Equitable desires of getting their Honours Assent to the said Bill, So much to the Advantage and Content of the Inhabitants of this Province—

Wherefore Your Lordships most Humble Petitioners the

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Delegates of this General Assembly, Do make this their further Address and Application to your Lordship Desiring Your Lordship to take the Premisses into your Consideration, and to Signifie your Lordships Willingness to the Upper house of Assembly for the Passing the said Bill that there may be no longer hindrance of the Same; which will be ever taken and acknowledged as a Signal kindness and favour from Your Lordship, on Your Lordships most humble and Obedient Servants The Delegates & Representatives of this present Generall Assembly—

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Signed p^r^ Order of the Lower house
C Boteler Cl Assistant of the Lower house of Assembly

Upper hous of Assembly Sep^r^ 17th 1681

Jn Answer to the last Humble Address of the Lower house to his Lordship his Lordship hath Commanded this house to Signifie to the Lower house that During his Lordships Stay or Residence within this Province himself in Person will before the Conclusion of any Sessions of Assembly Signifie his Assent or Disassent to what Laws shall pass that Sessions, and for the future in his Absence out of this Province doth promise and engage that within Eighteen Months after the passing of any Laws of this Province by the Upper and Lower houses of Assembly his Lordships Assent or Disassent thereunto shall be published within this Province, which he hopes may Sufficiently Satisfy the Minds and Desires of the Lower house without pressing any further inconveniency upon his Lordship which with Safetie he can in no wise Concede unto—

Signed p^r^ Order p^r^ J LLewellin Clk of Assembly—

Taken into Debate the Bill Entituled an Act for Payment of all Such Charges as may arise this Present year 1681 &c.

Moved whether it may not be more proper and Safe for his Lordship to stand to the Vote of the Lower house of the 10th of September fol 63 for his Managing the Warr (if any) with the Northern Indians or to the passing the Act aforesaid—

Voted in the Affirmative and that the Same be underwritten the said Message of the Lower house (viz^t^)

Upper house September the 17th 1681

This house readily Concurr with the Above Vote—

Signed p^r^ Order p^r^ Iohn LLewillin Cl of Assembly—

The foregoing Message of this house in Answer to the Lower house's Address is Sent to them by Coll: Darnall, and

Coll: Stevens who having Delivered the Same Return again into this house U. H. Journal 1659–98

Voted that a Message be sent to the Lower house (Viz^{t})

Upper house September the 17th 1681

His Lordship the Right honourable the Lord Proprietary and this Upper house of Assembly desire a Conference with the Lower house in Relation to the Charges of a Warr (upon a present Expedition) with the Northern Indians if Occasion requires—

Signed p^{r} Order p^{r} Iohn LLewellin Cl of Assembly—

Sent to the Lower house p^{r} Coll: Coursey who returns again

The Act concerning Negroes and Slaves read in this house & passed thus viz^{t}

September the 17th 1681 Upper house have Assented

J LLewellin Clerk of Assembly—

The Bill in favour of Holdsworth read and thus Endorsed Viz^{t}

September the 17th 1681

When it shall Evidently Appear to this house that the purchase Money is really and Bona fide paid and Satisfied this house will then be inclinable to pass the Bill p. 35^{2}

Signed p^{r} Order p^{r} J LLewellin Cl of Assembly—

The three foregoing Acts Sent to the Lower house by Coll: Lowe: he Returns

A Message from the Lower house p^{r} M^{r} Ladd who is Sent from the Lower house with Holdsworths Bill which he is Commanded to Testifie with M^{r} Painter what they know of the payment Money, M^{r} Painter can Testifie the Payment of ten thousand pounds of Tobacco, and Seven thousand pounds of Tobacco was Attached by Ladd himself when he was Sherriff p^{r} Order of Court.

M^{r} Painter comes in Person and Testifies that he had received Ten Thousand Pounds of Tobacco from Holdsworth and that there was yet due Seven thousand pounds of Tobacco which he had per Order of Court under Collour of a Debt from Husbands to himself Attached in his own hands—

Cap^{t} Ladd declares that he had Attached Seven thousand pounds of Tobacco two thousand three hundred whereof was for Holdsworths own Account Two thousand Eight hundred p^{r} Attachment out of the County Court at Suit of Atkey—

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Upper September the 17th 1681.

Mr Painter Acknowledges the receipt of ten thousand pounds of Tobacco and that he had Demanded the Residue Seven thousand pounds of Tobacco but Holdsworth refused the payment pretending that Husbands owed him two thousand three hundred pounds of Tobacco & his Attorneys Advised him not to pay any more to him

By which it does appear to this house that the purchase Money is not really and Bona fide paid for which reason this house cannot pass the Bill in favour of Samuel Holdsworth—

Signed pr Order p Iohn LLewellin Cl of Assembly.

Sent to the Lower house with Holdsworths Bill by Col Coursey

he returns again

Mr Cheseldyne comes and acquaints this house that the Lower house are ready for the Conference—

Answered that this house was ready to receive them He returns to the Lower house

The Speaker and Members of the Lower house enter this house in order to a Conference—

The Chancellor gives them to understand that his Lordship coming into this house this Day this house presented him with an Act for raising three hundred thousand pounds of Tobacco for which his Lordship gave them thanks for the Trust reposed in him but for the Satisfaction of the Lower house and the Freemen of this Province whom they Represented his Lordship would not Levy or raise one pound of Tobacco but with the Consent of the Freemen in a general Assembly And therefore for his Government in the Management of the Warr with the Northern Indians for this Present Expedition if any Such should be would relye upon their Vote of the 10th Instant which this house had already Concurred into, So think not fit to pass the said Act for raising the three hundred thousand pounds of Tobacco aforesaid—

Then proceeds to Speak to the Bill concerning those per-
p. 353 sons of a Tender Conscience &c: which he Dissents to upon this ground that they pretending themselves a People of tender Conscience they cannot take an Oath yet in the Body of the Act offer and Propose the most Severe Asseveration that can be fixt in an Oath which shews they are only an Obstinate people and only Quarrell with the form and not the Substance of an Oath and only incline to change the Rules of Government—

Coll: Coursey and the rest of this house declare their Dissent to the said Bill

The Speaker Moves that what they have proposed to Assevere is really an Oath and therefore passed this house in favour of those tender Conscienced People U. H. Journal 1659–98

Upper house September the 17th 1681.

Voted that the right Honourable the Lord Proprietary having Signified his fiat Iustitia upon all Writts of Error Depending in this house this Assembly Scire facias issue out for bringing the same to Tryall the next Sessions & that all Matters relating thereunto remain and be in Statu quo Nunc, upon the Errors now filed in this house and the Security already given

A Message from the Lower house by Captain Ladd and M[r] Ennalls being a Bill for the more Speedy bringing to Tryalls and Suppressing Criminals &c: passed the Lower house in these words Viz[t]—

The Lower house have Assented—
C Boteler Cl Assistant of the Lower house of Assembly

which also passed this house Viz[t] Upper house have Assented

John LLewellin Cl of Assembly.

Fees allowed to the Door keeper of this house

For every Naturalization 200
For Every Petition 40

The fees allowed to the Clerk of the Upper house last Sessions of Assembly as they are entered in that Iournall are Confirmed and approved of to be allowed by his Lordship and this house this Sessions of Assembly—

The Act for reviving of certain Laws within this Province passed the Lower house in these words Viz[t]

September the 17th 1681 The Lower house have Assented
C Boteler Cl Assistant of the Lower house of Assembly.

The same read and passed this house Viz[t]

September the 17th 1681 Upper house have Assented
John LLewellin Cl of Assembly.

Sent to the Lower house p[r] Coll Stevens who is allso to desire them to Dispatch, if they have any thing to offer to this house he returns and Reports that they are upon Examination of the Act for Allowance of the Publick Charge which

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they will Dispatch as fast as may and prepare Something for this house) They likewise desire that one of the Laws made Anno 1676 for Reviving certain Laws &c: and left out of the Book of Laws may be now Entered there,—

A Message from the Lower house p^r^ Col Burgess & William Richardson being a Petition of Ann Arundell County Setting forth that they had Expended a great Deale of Tobacco for Building a Court house which had not been performed by the Undertakers, they desire due Course to be taken by this Assembly that the Same may be Effected by those that have undertaken the Same according to Agreement Subscribed by Several the Inhabitants of the said County—

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Returned to the Lower house by Coll: Darnall who is to acquaint them that it being Evident that the several Names Subscribed are all of one hand though this house are Sensible many of them cant write their own Names it Seems that it is not a generall Grievance and therefore Lyes not before this House for Consideration—

Coll: Darnall returns and brings with him a Letter from Cap^t^ Hill one of the Delegates of Ann Arundell County where inclosed came the Petition who Recommended the same to the Consideration of this Assembly in Behalf of the Inhabitants—The Petition was thus Endorsed Viz^t^

Upper house September the 17th 1681.

This house not well Apprehending the Meaning and Design of this Petition desire the Lower house to inform themselves thereof from their Members Deputies for the County of Ann Arundell and to take such Care and Order therein as may be Convenient to be recommended to the Consideration of this house—

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Sent to the Lower house again p^r^ Coll: Darnall, he returns A Message by M^r^ Cheseldyne and Cap^t^ Sibrey being the Bill for Payment and Assessing the Publick Charge of this Province and passed by the Lower house thus, viz^t^

September the 17th 1681 The Lower house have Assented—
C Boteler Cl Assistant of the Lower house of Assembly

Read in this house and passed Viz^t^

September the 17th 1681 Upper house have Assented
J LLewellin Cl of Assembly—

Sent to the Lower house p^r^ Coll: Darnall he returns again

Coll: Lowe goes to the Lower house to know whether they are ready to come and receive his Lordships Pleasure touching the breaking up of this Sessions, U. H. Journal 1659–98

He returns and Says they will be ready presently—

The Speaker and Members of the Lower house Enter this house

They present to his Lordship the following Paper—

Lower house of Assembly Sep^{r} the 17th 1681.

This house finding that Seventy two pounds of Tobacco p^{r} Poll Levyed upon all the Taxables of this Province will Amount to more than the Totall Sum in the Act by the Quantity of Two thousand forty two pounds of Tobacco, and finding likewise that there is forgotten the Sum of Two thousand pounds of Tobacco Ordered to be given to Francis Burton Do Vote that at the Distribution of the Levy to the Several Sheriffs the said two Thousand forty two pounds of Tobacco may be Ordered to the said Burton in Calvert County intending to carry him for England for cure of a Wound received in his Lord:Ships Service and desire the Concurrence of the Upper house p. 355

Signed p^{r} Order C Boteler Cl Ass^{t} of the Lower house of Assembly

Upper house Septem^{r} the 17th 1681 This house Concurr—
J LLewellin Cl of Assembly—

They present the Several Laws Viz^{t}—

An Act for Ordering and Regulating the Militia &^{a}

An Act for the Administration of Iustice in Probat of Wills &c:

An Act for the more Speedy Bringing to Tryall & Suppressing Criminals &^{a}

An Act Concerning Negroes and Slaves

An Act for preventing Vexatious and unnecessary Suits at Law.

An Act restraining the Exportation of Leather & raw hides Deer & Elk Skins—

An Act for Naturalization of Peter fucate and Cornelius Boyes—

An Act for Naturalization of Lewis Blange and Peter Oldsone

An Act for paying the Publick Charge of the Province—

An Act for reviving of certaine Laws within this Province—

All thus Signed We will these to be Laws—
C: Baltimore

Published under the great Seal this 17th Day of September 1681.
Philip Calvert Chancellor.

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His Lordship gives them to understand that in an Act for repeale of Certain Laws there is included an Act Prohibiting the Sale of his Lordships Ordinance made Anno 1678 which his Lieutenant not having Power so to do did Assent to, he did Dissent to that part of the said Law and did therefore order the said Law should be again Entered in the Booke, also did Declare his Dissent to the Act for Electing and Summoning Delegates &c: according to his Proclamation

His Lordship did Adjourn the Assembly till the first Day of Nov^{r} next

The Chancellor Signifying to them that the Passing any Laws did not conclude any Sessions and therefore his Lordship did Adjourn them till the said first Day of November, Desiring the Speaker of the Lower house to do Accordingly by the Members of their house—

And the Assembly accordingly Adjourned to the first Day of November next

Liber W. H. p. 160

Charles absolute Lord & Prop^{ry} of the Provinces of Maryland & Avalon Lord Barron of Baltemore &c. To the Shreiffe of Ann-Arrundell County greeting by the advice & Consent of the ffreemen of our said Province of Maryland & of theire deputys & delegates in a Certaine Assembly held att S^{t} Marys on the Sixteenth day of August last past, Wee haue made & enacted Seuerall Laws (Vizt)

An act for the ordering and Regulateing the militia of this Province & for the better Security & defence thereof

Bee itt enacted by the Right Honourable the Lord Prop^{ry} by & with the advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the authority of the same that from & after the end of the Sessions of this p^{r}sent Gen^{ll} Assembly, the Malitia of this Province shall bee mustred Trained & excercised according to the Instruccōns & direccōns followeing.

That euery Coll Major or Cap^{t} of ffoote already Comissionated or hereafter to bee Comissionated by his Lōpp his Heires or Successors Lords & Proprietarys of this Province or his or theire L^{t} or Cheife Governo^{r} of this Province for the time being shall haue power to enlist such & soe many men Inhabiting within this Province, (not hereafter excepted) in theire Seuerall & Respectiue diuisions, betweene Sixteene & Sixty yeares of Age, as they shall thinke fitt, by as equall proporcōn of the said Inhabitants as possibly they Cann to bee of

the Militia or Traine bands of this Province, which said persons Liber W. H.
soe enlisted they shall Muster Excercise & Traine in & att such places, & att such Certeine times as to them shall seeme meete, or the service safety & defence of this Province shall requier, or his Lordshipp the Lord Proprietary of this Province his Heires & Successo^{rs} or his or theire L^{tt} Gen^{ll} or Cheife Governo^{r} or L^{tt} Generall or Cheife Governo^{r} and Councell for the time being shall see Cause to order.

That euery such Coll Major or Cap^{t} shall giue notice or sum̄ons vpon euery Traineing or Mustering to euery person soe enlisted as aforesaid within his Respectiue division or Limitts att the head of his Company or att the house of the party, by an officer of his Company, or a warr^{t} vnder his hand to appeare att such time & place as hee shall appoint for such Traineing or Mustering, & that if any man after such notice or sum̄ons giuen as aforesaid shall neglect or Refuse to appeare att the time & place appointed as aforesaid, or that shall Refuse when hee hath soe appeared to bee enlisted into the p. 161
Militia or Traineing bands as aforesaid, or that being soe enlisted shall not from time to time as hee shall bee summoned or warned as aforesaid appeare & bring with him, one good serviceable fixed Gunn & Six Shootts of powder shall for euery such offence, if a ffreeman forfeite & pay the sum̄e of one hundred pounds of Tobacco to the Lord Prop^{ry} & if a Serv^{t} Letted or hindred by his Master, Mistresse or ouerseere then such Master Mistresse or ouerseere to forfeite & pay the Like sum̄e of one hundred pounds of Tobacco for euery such Serv^{t} for the vse of the foote Company to purchase drume & Collours & other neccessarys for the Company, as the Com̄ander shall thinke fitt, where such default is made, Provided that this Clause bee not to Countenance any officer or officers to presse Armes or amunic$\bar{o}$n for any further expedic$\bar{o}$n or service then Traineing, but that vpon all such occasions they bee supplied out of the County Magazeene or Store. All which forfeiture & forfeitures shall by such Coll Major or Cap^{t} bee Certifyed to the Com̄ission^{rs} of the County Court, for such County att the Court then next ensueing, who are hereby authorized vpon such Certificate (noe sufficient excuse appeareing to them) to Award execuc$\bar{o}$n ag^{t} the goods & Chattles of such person soe Refuseing, neglecting, or faileing as aforesaid & that vpon occasion of all such Execuc$\bar{o}$ns all & euery County Clerke & Sherriffe within this Province Respectiuely, shall doe what pertaineth to theire offices without any ffee or Reward.

And for the Setling of the Horse forces that each Cap^{t} of Horse in each respectiue County shall for the makeing vpp his Troope elect & enlist his number of men out of the Inhabit-

Liber W. H. ants of the said County according to such Instruccōns as hee shall from time to time Receiue from the Lord Propry his Heires & Successors or his or theire Ltt for the time being, Provided alwayes that such Troopers shall Ride theire owne Horses, & noe person shall bee a Trooper without hee bee owner of a good Serviceable Horse which shall passe Muster, And that such Troopers in Consideracon of theire greate pay heereafter to bee allowed bee bound & obleiged to find themselues with good able & sufficient ffurniture for theire Horses & Likewise to find themselues with Swords Carbines Pistolls Holsters & Amunicōn, And if any Trooper shall neglect & Refuse vpon notice giuen to them in manner as aforesaid to the foote to appeare att Musters att the time & place aforesaid appointed by each Respectiue County of Horse accoutred & equipped as aforesaid shall forfeite & pay the Sume of one hundred pounds of Tobacco to the Lord Propry to bee Leavied in manner as aforesaid, for the vse of the Troope for Trumpett & Collours & other neccessarys as the Comander shall thinke fitt, And that such Troopers for & in Consideracōn aforesaid att
p. 162 such times as they are out a Ranging shall find theire owne Provisions, Butt when in actuall Service then to bee found Provision att the Charge of this Province to bee paid by the Publicke, & if itt shall happen that any Troopers Horse bee killed in the Service then the said Trooper to bee paid for the said Horse by the publicke & not otherwise.

That all preists deligates Majestrates & Constables shall in theire proper persons bee exempted from being Compelled to Muster & Traineing either in Horse or foote dureing such terme as they officiate or beare such office as aforesaid, Provided that this Clause shall not extend to such persons as all ready haue or shall hereafter accept of Comissions for Millitary Service from his Lōpp the Lord Propry or his Ltt Genll for the time being, soe as to discharge such persons from theire Respectiue Charges mencōned in such theire Seuerall & Respectiue Comissions, Neither shall this Clause nor any parte thereof bee Construed or taken to exempt any delegate Majestrate or Constable as aforesaid from sending into the feilds to Musters & Traineing either Horse or ffoote when & as often as due notice or sumons shall to them bee giuen as aforesaid some other person or persons in his or theire stead & place, soe provided or equipped as aforesaid vpon forfeiture as aforesaid, And bee itt enacted by the authority aforesaid, that all negroes & Slaues whatsoeuer shall bee exempted the duty of Traineing or any other Military service.—

That the pay for the officers & Souldiers of the foote & Horse aforesaid bee noe other then is hereafter mencōned, & for noe Longer time then such officers & Souldiers shall

bee in actuall Service (to witt) to euery Major Gen^{ll} being Liber W. H.
Cheife Comander in the feild Three Thousand pounds of Tobacco p month, to euery Coll of ffoote Two Thousand pounds of Tobacco p month, To a Major of ffoote Twelve hundred pounds of Tobacco p month, To a Cap^{t} of ffoote one Thousand pounds of Tobacco p month, To a L^{tt} of ffoote Seauen Hundred pounds of Tobacco p month, To an Ensigne Six hundred pounds of Tobacco p Month, To a Sargeant ffour Hundred pounds of Tobacco p month, To a Corporall ffour hundred pounds of Tobacco p Month, To a drum̄er ffour hundred pounds of Tobacco p month, And to euery Private Souldier Three hundred pounds of Tobacco p month, And that euery Coll of Horse haue Three & Twenty hundred pounds of Tobacco p month, & that a Major of Horse haue ffifteene hundred pounds of Tobacco p month And a Cap^{t} of Horse bee allowed Thirteene hundred pounds of Tobacco p month, To a L^{tt} of Horse one Thousand pounds of Tobacco p month, To a Cornett Nine hundred pounds of Tobacco p p. 163
month, To a Quarter Master & Corporall each Seauen Hundred pounds of Tobacco p month, To a Trumpeter Seauen Hundred pounds of Tob p month, And to euery Priuate Trooper Six hundred pounds of Tobacco p month, And that all theise Rates & Alloweances for such officers & Souldiers aforesaid shall bee allowed & paid and noe more & that the Months before menc̄oned bee accounted Computed & Reckoned, according to the Callender & not otherwise, And to the intent that whensoeuer itt shall appeare to the Lord Prop^{ry} or his L^{tt} Gen^{ll} or Cheife Gouerno^{r} or his said L^{tt} Gen^{ll} or Cheife Gov^{r} & Councell to bee neccessary to Raise forces for the suppression of any foreine Invasion or domesticke Insurrecc̄on or Rebellion or any warr with any Indians, That the said officers & Souldiers may bee duely paid according to the proporc̄ons aforesaid & all other Charges & expences for the Charge & manageing such warr may bee duely paid & discharged without which this Province cannott bee defended & secured, Bee itt enacted by the Right Honourable the Lord Prop^{ry} by & with the Advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly, And the Authority of the same, That from henceforth all such neccessary Charges of such warr & Souldiers pay as aforesaid shall bee paid discharged & defrayed by a Publicke Leavy by an equall Assessem^{t} vpon the Taxables of this Province by Consent of the ffreemen of this Province, by theire Representatiues & in a Generall Assembly & noe otherwise whatsoever according to a Clause in an Act entituled an Act of Gratitude to his Excellency Charles Calvert Esq^{r} Cap^{t} Gen^{ll} of Maryland.

And to the intent that the Inhabitants of this Province may

Liber W. H. not bee abused by haueing theire goods & Provisions pressed from them by Loose & Idle ffellowes who many times abuse theire Comissions & the People, Bee itt enacted by the Authority aforesaid, That from henceforth the Comissionrs of each Respectiue Countys shall yearely & euery yeare vizt, betweene the nine & Twentieth day of September & the ffiue & Twentieth day of december nominate & appointe Two Honest & Substantiall men of theire Countys, for euery Hundred to bee presse Masters for the yeare ensueing, & if any one dye or departe the Country or bee Lame or sicke within that time, that then the next Justice of peace to nominate & appointe another in his stead, that if occasion Requier they & none else shall Impresse victualls & other things giuen them in Charge to bee pressed by warrt from the Lord Proprty his Heires or Successors or his or theire Ltt Genll & Governor for the time being, And if any other butt such presse masters soe appointed shall presume vpon prtence of any power as a presse master to seize take presse or Carry away any goods or Comoditys of any the Inhabitants of this Province shall pay to the person greiued Treble the value of such goods & Comoditys soe as
p. 164 aforesaid vnjustly pressed, Provided that noe Pressemaster nor any other person or psons whatsoeuer, shall presume att any time to take seize presse or Carry away from any Inhabitants Resident within this Province any Armes or Aminicon of any kind whatsoeuer, vpon any duty or Service vpon any account whatsoeuer vnder the penalty aforesaid, any Law Statute or vseage to the Contrary heereof in any wise notwithstanding, And bee itt Likewise enacted by the Authority advice & Consent aforesaid, that the Comissionrs of any Respectiue County Courts within this Province who shall not betweene the nine & Twentieth day of September, & the said ffiue & Twentieth day of december, in each Respectiue yeare, by precept from the County Court Signed by the Clerke of the Court, nominate & appoint such & soe many Presse masters for euery hundred within theire County as aforesaid, shall each of them forfeite & pay vnto the Right Honourable the Lord Proprty the sume of ffiue Hundred pounds of Tobacco, And such Presse masters who shall bee soe nominated & appointed as aforesaid, by such prcept as aforesaid, to him or them directed, & shall therevpon Refuse or neglect to serve & duely & truely to execute & performe the said place & office of Presse master shall forfeite & pay vnto the Right Honourable the Lord Proprty for euery time hee or they soe nominated & appointed as aforesaid shall Refuse or neglect to serve as aforesaid the sume of ffiue hundred pounds of Tobacco.

And for the more & better Incouragemt of such Souldiers as shall in time of warr venture in the service of the Country

and defence thereof ag^{t} any Indians, Bee itt enacted by the Liber W. H.
Authority aforesaid, that the free booty prize pillage or plunder
or any Indians seized or taken Prisoner shall by the Com̄ander
bee equally distributed & devided amongst the Souldiers by a
division & distribucon to bee made by the Poll.

And for the Incouragem^{t} of such Souldiers as shall Adven-
ture theire Liues in the Service & defence of the Province,
and for a Provision of some Reasonable pension, to bee for the
future setled vpon such Souldiers as shall happen to bee
maimed & Rendred vncapable to gett a Liuelyhood for them-
selves & family Bee itt enacted by the Authority aforesaid,
that euery person that shall Adventure as a Souldier in any
warr in defence of this Province, & shall therein happen to bee
maimed or receiue hurt soe as hee thereby bee Rendred
Incapable of getting a Liuelihood as aforesaid, shall according
to his disabillity Receiue a yearely pension to bee Raised out
of the Publicke Leavy of this Province for the time of such his
disability, & euery person slaine in the service of the Province,
& Leaueing behind him a Wife & Children such wife & p. 165
Children shall alsoe bee allowed a Competent Pension, the
Wife dureing her widdowhood & the Children till they bee of
yeares able to gett theire Liueings, or bee putt out Appren-
tices & that this pension bee yearely paid & allowed out of
the ffifty Thousand pounds of Tob $\overline{p}$ annu to bee Raised by
the Right Honourable the Lord Prop^{ry} or his L^{tt} Gen^{ll} &
Councell as in this Act is after provided in the Intervalls of
Assembly the party petic$\overline{o}$ning for such pension and allowe-
ance procureing a Certificate from the Com̄ission^{rs} of the
County Court, where hee shee or they are objects of Charity
and deserve to haue such pension & alloweance, Provided that
this Act nor any thing therein Contained, shall not Repeale
nor bee Construed to Repeale the perpetuall Law of this
Province, entituled an Act for the Incouragem^{t} of such as shall
adventure in the Countreys Service, Provided alsoe that this
Act nor any thing therein Contained, shall not bee Construed
or meant to discharge the Right Honourable the Lord Prop^{ry}
his Heires & Successo^{rs} from paying for Armes & Amunic$\overline{o}$n
or other publicke Charges of this Province, soe farr forth as
the Moyety of the Two shillings $\overline{p}$ hdd, extends according to
an Act of Assembly, entituled an Act of Gratitude to his
Excellency Charles Calvert Esq^{r} Cap^{t} Gen^{ll} of Maryland, made
att an Assembly held att the Citty of S^{t} Marys the Thirteenth
day of Aprill Anno 1674: And to the end & Intent that this
his Lordshipps Province & the Inhabitants thereof may bee the
better secured & defended, yo^{r} Lordshipps most Humble
Serv^{ts} the Memb^{rs} of the vpper & Lower Houses of this p^{r}sent
Gen^{ll} Assembly, doe humbly pray that itt may bee enacted,

Liber W. H. And bee itt further enacted by the Right Honourable the Lord Propry by & with the Advice & Consent of the vpper & Lower houses of this prsent Genll Assembly that the said Lord Propry his Heires & Successors wthin Eighteene Months after the Publicacōn hereof dureing the paymt of the Two shillings p hdd shall provide & maintaine out of the aforesaid Moyety beside a sufficient standing Magazeene for this Province, a sufficient quantity of Armes and Aminicon in euery Respectiue County for such number of men as shall att any time bee thought neccessary to bee drawne out or Compelled to March out of such theire Respectiue Countys in actuall service for the Lord Propry & defence of this Province, to bee deposited & kept in such persons handes & Inhabitants of the same County as his Lōpp or his Ltt Genll or Ltt Genll & Councell shall thinke ffitt to appoint to keepe the same, That heereafter vpon any vrgent or extraordinary occasion for the defence of this Province, his Lōpps offics & the people may bee supplied from thence, that soe the Inhabitants of this Province may not haue their Armes & Aminicon liable to the seizure of Pressemasters
p. 166 & theire officers without wch Armes they cannot as bound by this Act appeare, att Musters & Traineings without danger of being fined, nor bee able to defend themselves in theire owne houses, from the Suddaine Surprizalls of theire Enemys, Bee itt Likewise enacted & ordained by the Authority aforesaid that wtsoeuer Powder shall bee laid in & Intrusted by his Lōpp, in the handes of any the Inhabitants aforesaid for the vse of the County aforesaid, shall not bee disposed of to any the Inhabitants or others in Sale vnder ptence of Changing the same for freshe, vntill such time as hee or they soe Intrusted as aforesaid, shall haue first supplied the Magazeene with the Like quantity of ffreshe powder for the service of the Country as aforesaid, And bee itt further enacted & ordained by & with the Advice & Consent aforesaid, That if vpon any fforreigne Invasion domesticke Insurreccōn or Indian Incursion wtsoeuer, any pson or psons whatsoeuer, (except before excepted) that shall bee prest or bee an enlisted Souldier wthin this Province, shall vpon Comand of his Officer, being a Capt att the Least obstinately Refuse to appeare & serve in Armes for the neccessary defence of this Province, such pson or psons soe obstinately Refuseing to appeare & serve in armes as aforesaid, shall vpon Certificate thereof, vnder such offics hand as aforesaid, to the next Justice of the peace of the County where such pson Liueth bee proceeded agt in manner following (That is to say) the same Justice of the Peace to whom such Certificate as aforsaid shall bee made, shall Imediately Issue forth a warrt to the Constable of the Hundred where such party liueth to Apprehend him & bring him before himselfe or some other of

his Lōpps Justices of the peace of the same County there to Render a Sufficient excuse (if any hee have) for such his Refuseall or not appeareance as aforesaid, & if such Justice of the peace shall not find the excuse of such party in such Case, to bee Reasonable & sufficient, then hee shall Imediately Comitt such pson to the Custody of the Sherriffe of such County, there to Remaine vntill hee shall find security to appe att the next Provll Court to bee held for this Province, there to bee proceeded agt according to due Course of Law, And if there vpon hee shall bee Legally Convict by a Jury, of such his obstinate Refuseall or disobedience as aforesaid, hee shall bee fined & Imprisoned according to the discreccōn of the Justices of the Provinciall Court. Liber W. H.

And for the Prevencōn of the greate Charge of Annuall Assemblys, who may meete for noe other occasions butt onely to Lay the Publicke Leavy in time of peace Bee itt enacted by the authority aforesaid that the Ltt Genll & Councell from time to time dureing the Intervall of Assemblys for the defraying & paymt of small Charges of this Province, bee & are heereby Impowred to assesse the same equally to bee Leauied vpon all the Inhabitants of this Province for defrayeing the said small Charges in time of peace as aforesaid, any thing in this Act to the Contrary in any wise notwithstanding, Provided allways & itt is the true intent & meaneing of this Act that the said sumes for the small Charges of this Province soe to bee assessed by the Gouernor & Councell aforesaid, vpon the Inhabitants of this Province as aforesaid exceed not in any one yeare the sume of ffifty Thousand pounds of Tobacco this Act to endure for Three yeares or to the end of the next Genll Assembly, which shall first happen. p. 167

An act for the better Admstracōn of Justice in probate of Wills, granting Admstracōns Recouery of Legacys & secureing filiall porcōns.

Whereas for the due Admstracōn of Justice, itt is most neccessary that there bee a setled succession from the dead to the Liueing, & that the Wills of all persons dyeing (who in theire Life times doe make theire Wills) may bee duely proved & Letters of Admstracōn of all persons dyeing without Wills, may bee granted to such persons who haue the best Right to succeed thereunto, that there may in that Case bee noe failer of Justice, butt that itt may bee duely Admstred within this Province & all Legacys speedily recouered & filiall porcōns & orphans Estates duely secured & easily obtained according to the true intent of the Lawes heeretofore made now still in

Liber W. H. force or heereafter to bee made, yo^{r} Lordshipps Two houses of Assembly doe pray that itt may bee enacted, And bee itt enacted by the Right Honourable the Lord Prop^{ry} of & with the advice & Assent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the Authority of the same that the Judge or Comissary Gen^{ll} for probate of Wills & granting Admstracons shall hold his Court once in Two Months att the Least or oftner as the Case shall Requier, Regard being had to the distance of the Habitacons of the suitors in the said Court, & the dispatch of fforreighners, who haue frequent occasions to seeke Justice in the Court, for probate of Wills & granting Admstracons, & before the Judge thereof, And for as much as Certainety is the Mother of Repose, & that our dependance vpon England obleigeth us to make all our Lawes as neere as may bee Consonant to the Lawes of England, Bee itt further enacted by the Authority advice & assent aforesaid that the Judge for probate of Wills & granting Admstracons within this province in all Causes Relateing to probate of Wills and granting Admstracons shall proceed according to the Lawes of England, now in force & heereafter to bee in force
p. 168 within Twelve Months after such Lawes shall bee published in the Kingdome of England, If pleaded before him heere saueing in such Cases as shall in this Act bee Limited or shall heereafter bee Limited by Act of Assembly of this Province, as utterly Impracticable in this Province. Provided always that itt shall & may bee Lawfull for the Judge for probate of Wills to proue any Last Will in this Province euen although itt Concerne Title to Land any Law vseage or Custome of the Kingdome of England to the Contrary Notwithstanding, And to the end that filiall porcons may bee secured to the Children of all persons dyeing Intestate, & Legacys paid to Legatees of persons who make Wills, Bee itt Likewise enacted ffirst that the Judge for probate of Wills & granting Admstracons shall Call all Executo^{rs} & Adm^{rs} to acco^{t} for the Estates of all persons deceased, within Twelue Months next after Admstracon Comitted, & if any Adm^{r} shall faile to giue an Acco^{t} within the time aforesaid being Lawfully thereunto Cited, that then the said Judge shall Revoake the ffirst Letters of Admstracon to such Adm^{r} Comitted & shall grant Admstracon (de bonis non Admstratis) to some other person as in his discretion hee shall thinke fitt, which said Adm^{r} anew appointed shall giue security as all other Adm^{rs} doe & shall sue & Implead the former Adm^{r} before the Judge aforesaid, for an acco^{t} of the estate of the Intestate & in Case itt shall appeare to the Judge aforesaid that the former Adm^{r} hath wasted or Imbezelled the estate of the Intestate then the said Judge shall Assigne the bond entred into by the former Adm^{r} and his securitys vnto

the Latter Admr to bee Releiued agt them for such wasteing & Imbazeling. Liber W. H.

2: That the Judge vpon accot giuen by the ffirst Admr as aforesaid shall make devision of the Cleare Estate of the deceased after debts paid & funerall expences defrayed (that is to say) shall allowe to the Widdow or Relict of the said Intestate, (If any such bee) one full Third parte thereof, & the other Two Thirds shall bee equally diuided betweene the Children of the said deceased (if any such bee) & if noe such bee then betweene the next of bloud of the Intestate, & after such diuision made shall Transmitt the accot thereof to the Justices of the seuerall and Respectiue County Courts, where the said Estate shall bee and Remaine, who are by this Act appointed authorized & enjoyned to putt the persons Lands goods & Chattles of the Orphans into the handes of such persons as they shall thinke fitt takeing bond with Two sufficient suretys in the name of the orphans themselues for the secureing & deliuery of the said estates to the said orphans or theire Gaurdians when therevnto Lawfully Called according to the Rules & direccons heereafter by this Act Subscribed established & ordained & not otherwise, which Rules shall bee Rules not only for the Justices of the County Courts to proceed by in takeing the accots of Gaurdians or Trustees for p. 169 orphans, butt alsoe for the Judge for probate of Wills & granting Admstracons in takeing the accots of Admrs & barr Executors to the benifitt of others nor shall the Judge make any other alloweances to any Admr or Admrs vpon his or theire accots butt for debts (bona fide) oweing by the deceased, & Really paid or secured to bee paid by the seuerall and Respectiue Admstrators

Imprs Noe Negroes or other Slaues shall bee sold or disposed of by any Admr for paymt of debts or otherwise, Reserved for the Admrs owne vse in satisfaccon for any debts due to the said Admr nor any execucon served vpon any Negroes or other Slaues soe long as there shall be other goods of the deceased, sufficient to satisfy the Just debts of the deceased, butt shall bee kept vpon the hazzard of the estate, and employed for the benifitt of the Creditors & orphans (if any bee) dureing the ffirst yeare, att the end of which the Admr is to accot for the estate & the profitt of such Slaues shall bee Assetts, as to the Creditors & dividable betweene the Wife Children or Relacons of the deceased, If there bee noe Creditors

2: That noe accot bee alloweable for dyett Clothes Physicke or Educacon to any Admr or Gaurdian to any orphan agt the estate of the Intestate or agt the filiall parte of any Child Comitted to any Gaurdian or other person intrusted by the

Liber W. H. County Court, butt that the said orphans shall bee mainetained & Educated by the Interest of theire estates & Increase of theire Stockes, soe farr forth as the said Interest & Increase will extend, butt if the estates bee soe small that itt will not extend to a free Educacōn, such orphan shall bee bound Apprentice to some Handicrafte Trade or other person att the discreccōn of the County Court, vntill one & Twenty yeares of age except some Kinsman or Relacōn or other Charitable person will mainetaine them for the Interest of the small estate they haue, without any diminicon of the Principall which shall alwayes bee deliuered to the orphans att the yeares heereafter in this Act Limited & appointed. Provided alwayes that noe orphan shall bee putt into the handes of any person of a different Judgem^{t} in Religion to that of the deceased Parents of the said orphans.

3: That all Catle Horses & Sheepe shall bee Retourned in kind by the Gaurdians or other persons Intrusted with orphans Estates, (that is to say) soe many Horses Catle & Sheepe as they Receiued & of the same age as the Cattle Horses & Sheepe were of att the time they were deliuered to the Gaurdian or Trustee of the orphan.

4: That all mony Plate, Rings, & Jewells bee p^{r}served & not vsed by the Gaurdian or Trustee, & deliuered in kind to the orphans when they Come to age, & that all household stuffe & Lumber bee appraised in mony & not otherwise &
p. 170 the value thereof paid by the Gaurdians to the Orphans as aforesaid, either in mony Sterl according to the Appraisem^{t} or in Tobacco att the then pricc Currant, & in Case any difference shall arise what shall bee the price Currant att the day of paym^{t} in the bond taken Limited, the Judges of the County Court where the orphans Estate doth Lye, shall then determine what shall bee the price Currant.

5: That euery Male orphan shall bee of full age to Receiue his Estate from his Gaurdian att the age of one & Twenty yeares & not before, but in Case any person by his Last Will & Testament doe appoint any person to bee his Executo^{r} or Executrix that is full Seauenteene yeares of age, that person soe appointed shall bee adjudged of sufficient age to Admster as Executo^{r} or Executrix & if such Executo^{r} or Executrix happen to bee vnder the age of Seauenteene, the Adm̄stracōn shall then bee Com̄itted to such other person as the Judge for probate of Wills and granting Adm̄stracōns shall approue of (durante minoritate) & to the Sole profitt vse & behoofe of the Infant Executo^{r} or Executrix & not otherwise nor in any other manner, And for as much as the Right to Adm̄stracōn of the goods of persons Intestate may fall vpon ꝑsons vnder the age of Seauenteene yeares, Itt is heereby declared, that as

they are within Like Reasons, soe they are vnder Like Law with Infant Executo[rs] Liber W. H.

6: That euery female orphan shall bee accounted of ffull age to Receiue estate att the age of Sixteene yeares or day of Marriage which shall ffirst happen.

7: That all Negroes & other Slaues after the Transmitting of the estate to the County Court as aforesaid shall bee appraised to the Gaurdians or Trustees & bee p[r]served by them & bee Imployed to the said Gaurdians or Trustees vse & benifitt, & the Like number of Slaues & of Like ability of body Retourned to the said orphans out of theire Increase, (if any bee) att theire full age by this Law Limited, & if any of the said Slaues bee growne aged or otherwise Impotent or bee Lamed, & that the Increase will not make the originall Stocke good as to number & ability of body that then they shall againe bee Appraised by the County Courts, & the Gaurdians or Trustees shall pay to the said orphans soe much mony or Tobacco as the County Courts shall Judge the orphans stocke of Negroes then to bee of Lesse value then they were of att the time of theire ffirst Appraisem[t] & deliuery of the said Slaues to the said Gaurdians or Trustees Butt in Case noe Gaurdian or other person will vpon these Termes accept of these Slaues, then itt shall bee Lawfull for the said seuerall & Respectiue County Courts to putt the Slaues out vpon any other Termes & to any other persons soe that the said originall stocke of Slaues bee not sold nor any of theire Increase, butt in the best manner that may bee p[r]served for the orphans till they come to theire seuerall ages by this Act limited & appointed To the intent they may haue theire ffirst stocke made good to them in number value & Ability of body, if itt may bee.

8: That all that are Serv[ts] for yeares bee Likewise Retourned p. 171 in kind to the orphans att theire full ages (that is to say) the same number of the same age & Sex & the Like number of yeares to serve & of the same ability of body as neere as can bee guessed as the Serv[ts] were when Reced by the Gaurdian or Trustee.

9: Whereas euery Adm[r] in his Inventory Incerteth what debts are sperate & what are desparate & vpon acco[t] is allowed what debts are desparate the Judge for probate of Wills shall Transmit these desparate debts with the diuision of the ouer-plus of the estate vnto the seuerall & Respectiue Justices of the County Courts where the Estate shall Lye to the end the said Justices may enquier whether the said Adm[r] haue by fraud or otherwise neglected to Recouer the same or haue Receiued & neuer accounted for the same, & shall with the Residue of the estate Comitt the said desparate debts to the Care of the

Liber W. H. Gaurdian or other Trustee by them Imployed, & shall yearely and euery yeare Call the said Gaurdian or Trustee to acco^{t} for the same, & duely Inspect what of the said debts they haue Receiued or might haue Receiued, & if the said Gaurdian or Trustee faile to giue in his acco^{t} yearely or by fraud or Collour neglect or forbeare to Receiue the same, the said Gaurdian or Trustee shall stand Charged with and accountable for euery such debt by them Reced & nott accountable for, or neglected or forborne to bee Recouered.

10: That the Justices of the County Courts take able & sufficient security for orphans estates & enquier yearely of the security & if they see Just Cause that they Requier new or better security & vpon Refuseall to giue new or better security to Remoue the orphans estates into better handes, & further that the Justices of the County Court shall yearely in June Court enquier by a Jury of Twelue men whether the orphans bee kept mainetained & educated according to theire estates, & whether Apprentices are yearely taught theire Trades or Rigorously vsed or tourned to Comon Labour att the Ax & Hoe instead of Learning theire Trade, & if they find the orphans not maintained & educated by the Gaurdians according to theire estate, or the Apprentices neglected to bee taught theire Trades vpon p^{r}tence that the Last yeare is enough to Learne the Trade, that they Remoue them to other Gaurdians & Masters Respectiuely, And in Case the Jury shall find that any Apprentice is not taught his trade butt putt to other Labour as aforesaid the County Court shall Condemne the Master of such Apprentice to make the Apprentice such satisfaccon as in Justice his yeares Labour att other worke shall deserve & ffiue hundred pounds of Tob more to bee paid to the said orphan.

11: That the Justices of the County Courts Cause the Condicons of the bonds they take of Gaurdians or Trustees for orphans estates to bee exactly drawne according to this Act & Recorded in theire County Courts & the Indentures for the Apprentices, Likewise that itt may duely appeare to Jurys whither Gaurdians Trustees or Masters doe Right & Justice to Apprentices & to the Country, that the Justices doe Right betweene them, & to that end that they Cause the Clerke of theire Court to p^{r}sent the Jury with a List of the orphans & Apprentices of theire County euery June Court.

12: That noe more bee allowed to Gaurdians or Trustees
p. 172 for Collecting of debts due to orphans then Tenn in the Hundred the vsuall alloweance to Adm^{rs} & ffacto^{rs} by Merchants.

And further in Regaurd yo^{r} Lordshipp by yo^{r} Comission to yo^{r} Judge or Comissary Gen^{ll} for probate of Wills & granting Admstracons hath saued to all persons theire Right of appeale

from the sentence of the said Judge to yo^r^ selfe or in yo^r^ absence to yo^r^ L^tt^ of this Province for the time being or to such person or persons as you or yo^r^ L^tt^ as aforesaid should appoint, Bee itt enacted that all & euery person Appealeing from the sentence of the said Judge shall within ffifteene dayes att furthest after such sentence giuen enter his Appeale before the Judge & within ffifteene dayes more Peticon yo^r^ Lordshipp or yo^r^ L^tt^ of this Province for the time being to Examine the sentence of the said Judge & to appoint such other ꝑson or persons as yo^r^ Lordspp or yo^r^ L^tt^ for the time being shall thinke fitt to heare & determine the same whose sentence shall bee finall without further appeale Repeale & Reveiwe. And for that diuerse bonds haue beene taken by the Respectiue County Courts of this Province in the names of the worshippfull the Comissio^rs^ of the County Courts or in some such other Termes amounting thereunto, To & for the vse of the seuerall & Respectiue Orphans in the seuerall & Respectiue Countys in this Province w^th^ Condicons to pay unto the said Comissio^rs^ or Justices of the peace the Respectiue sumes of Tobacco or mony in the Respectiue Condicons Contained in pursueance of the Act for p^r^servacon of orphans estates when in truth the said Comissio^rs^ of the County Court are noe body Politicke nor Capable of sueing the said Bonds, Bee itt Likewise enacted by the authority aforesaid, by & with the Consent aforesaid that all bonds soe as aforesaid Rehearsed taken to & for the vse of any orphans in this Province in pursueance of the Act aforesaid shall bee sued & Recouered in the names of the Orphans to whose vse the said bonds were taken either in the County or in the Provinciall Court att the Choice of the said Orphans, any Law Statute or vseage to the Contrary heereof in any wise Notwithstanding, And bee itt further enacted that the former Law of this Province, Entituled (an Act for the Preservacon of orphans Estates) bee & is heereby Repealed This Act to endure for Three yeares or to the end of the next Gen^ll^ Assembly, which shall first happen. Liber W. H.

An Act for the more speedy bringing to
Tryall & subpressing criminalls and
limiting theire punishm^ts^ for certaine
offences when prosecuted in the County Courts.

Whereas the seuerity of the Laws of England ag^t^ all Theiueing stealing & Purloyning are uerry suitable to that & all other populous Kingdomes but not agreeable to the nature & Constitucon of this Province, soe meanely & Thinly Inhabited, And whereas according to the Laws of England all or most Crimes aboue Pettilerciny are punishable by Losse of

Liber W. H. Member burning in the hand or forehead Cropping of yeares
or paines of death, beside Confiscacōn of estate, & the Courts
p. 173 of this Province hitherto haueing followed the Rules practices
& Lawes of England in the Judgem^t^ ag^t^ & Condemnacon
of Criminalls being to Rigorous a practice & punishm^t^ for
this Province to exact and Imitate touching many offenders
Guilty of the offences heereafter mencōned, By meanes whereof
all prosecucons ag^t^ offenders though many times for small
Crimes & offences, & of small value haue beene hitherto
drawne & brought to the Prov^ll^ Court of this Province, the
Justices whereof only haue power of Life & member to the
verry greate vexacon & Trouble of the good people of this
Province a greater parte of the Province Liueing soe Remote
from the Prov^ll^ Court that they many times forbeare to prose-
cute offend^rs^ by reason of the excessiue Charges of Comeing
to the Prov^ll^ Court & bringing theire Wittnesses to prosecute,
soe that the offend^rs^ many times goe vnpunished to the greate
encouragem^t^ of Malefacto^rs^ & for that alsoe the Prov^ll^ Courts are
nott held aboue Three or ffour times in the yeare, speedy
Justice for small Crimes is defferred, & the partys accused,
many times Lye a Long time in prison before theire Tryall, to
the verry greate Charge of the party which may bee in his
Tryall accquitted, or if Convicted the Charge many times falls
on the County where the offender liues or on the Country, to
the greate burthen of the Province for the Prevencōn whereof
for the future, Bee itt enacted by the Right Honourable the
Lord Prop^ry^ by & with the advice & Consent of the vpper &
Lower houses of this p^r^sent Generall Assembly and the
Authority of the same that itt shall & may bee Lawfull to &
for the seuerall & Respectiue Justices or Comission^rs^ of the
seuerall & Respectiue Countys within this Province, in theire
seuerall & Respectiue County Courts, To heare & determine
all Theiueings or Stealings whatsoeuer (Robery Burglary &
house breakings only excepted) whether itt bee of any Horse
Mare Gelding, Colt Cow Calfe ox Bull Steere Rames Ewes or
Lambes Goates Hoggs Piggs or any manner of Poultry or
other goods or Chattles whatsoeuer not exceeding the value of
aboue one Thousand pounds of Tobacco, & all & all manner of
persons thereof Lawfully Convicted by due Course of Law in
any of the County Courts aforesaid shall or may Cause to bee
punished by whipping or Pilloring or both, as the Justices
before whom such Conviccon shall happen to bee, shall thinke
most agreeable to the demerritt of the offend^r^ any Law statute
or vseage to the Contrary Notwithstanding, And bee itt
further enacted by the Authority aforesaid, That any offender
Theiueing or Stealing as aforesaid that shall bee Convicted
thereof by Confession of the party, or by one sufficient or

Lawfull witnesse or Evidence not being the Party Jnjured or dampnifyed shall Restore ffour fold to the owner of the thing or goods soe stolen or purloyned as aforesaid, The value thereof to bee adjudged by the Court where & when the offender shall bee Convicted as aforesaid any Law Statute or vseage to the Contrary Notwithstanding Provided always that all Conviccons as aforesaid bee vpon & by a verdict of Twelve Lawfull men of the vicinity or Neighbourhood & not otherwise Provided neuerthelesse that where any person or persons whatsoeuer shall att any time heereafter happen to bee accused & Convicted as aforesaid, of any the Crimes aforesaid, in any the County Courts aforesaid, to the value of not aboue one Thousand pounds of Tobacco & shall afterwards happen to Comitt the like Crime to that value the Justices of the County Courts shall haue power to hold plea of the second offence Butt if the party shall happen the Third time to Comitt the Like Crime then the Justices of the seuerall County Courts shall nott haue power to hold plea thereof, butt shall Comitt the said party accused to prison till hee find bayle, (if by Law bayleable to Answere his Crime att the Prov^{ll} Court of this Province who are to proceed ag^{t} such Criminall according to the Lawes of England, & the Justices of the said County Courts are to bind ouer the partys Prosecuto^{rs} to prosecute att the said Prov^{ll} Court, & to send a Transcript of the Record of the first & Second Conviccōns of the said Criminall vnder the seale of the said County Court to the end the Justices of the Prov^{ll} Court may apporcōn such punishm^{t} as the Third offence of such person Criminall shall Justly deserve, & the Law will allowe of, Provided alsoe that the Justices of the County Courts although they haue power to putt offend^{rs} into the Pillory as aforesaid, yett they shall not haue power to Cropp theire yeares or mutilate any member. This Act to endure for Three yeares or to the end of the next sessions of Assembly, which shall first happen.

Liber W. H.

p. 174

An Act concerning Negroes & Slaves—

Bee itt enacted by the Right Honourable the Lord Prop^{ry} by & with the Advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the authority of the same, that all Negroes & other Slaues already Imported or heereafter to bee Imported into this Province shall serve (durante vita) & all the Children already borne or heereafter to bee borne of any Negroes or other Slaues within this Province shall bee Slaues to all intents & purposes as theire fathers were for the Terme of theire naturall Liues.

Liber W. H. And for as much a diuerse ffreeborne Englishe or Whitewoman sometimes by the Instigacõn Procurem^{t} or Conievance of theire Masters Mistres or dames, & always to the Satisfaccõn of theire Lascivious & Lustfull desires, & to the disgrace not only of the English butt allso of many other Christian Nations, doe Intermarry with Negroes & Slaues by which meanes diuerse Inconveniencys Controuersys & suites may arise Touching the Issue or Children of such ffreeborne women aforesaid, for the p^{r}vencõn whereof for the future, Bee itt further enacted by the Authority aforesaid that if any Ma^{r} M^{irs} or dame haueing any ffreeborne Englishe or white woman Serv^{t} as aforesaid in theire possession or property, shall by any Instigacon procurem^{t} knowledge permission or Contriveance whatsoeuer, suffer any such ffreeborne Englishe or Whitewoman Serv^{t} in theire possession & wherein they haue property as aforesaid to Intermarry or Contract in Matrimony with any Slaue from and after the Last day of this p^{r}sent Sessions of Assembly, That then the said M^{r} Mi^{rs} or dame of any such ffreeborne women as aforesaid, soe married as aforesaid, shall forfeite & Loose all theire Claime & Title to the service & servitude of any such ffreeborne woman & alsoe the said woman Serv^{t} soe married shall bee & is by this p^{r}sent Act absolutely discharged manymitted & made free Instantly vpon her Intermarriage as aforesaid, from the Services Imploym^{ts} vse Claime or demands of any such M^{r} Mi^{rs} or dame soe offending as afforesaid, And all Children borne of such ffreeborne women, soe manymitted & ffree as aforesaid shall bee ffree as the women soe married as aforesaid, as also the said Ma^{r} Mi^{rs} & dame shall forfeite the sume of Tenn Thousand pounds of Tobacco, one halfe thereof to the Lord Prop^{ry} & the other halfe to him or them that shall Informe & sue for the
p. 175 same to bee Recouered in any Court of Record within this Province by Bill plaint or Informacon, wherein noe Essoyne proteccõn or wager of Law to bee allowed. And any preist Minister Majestrate or other person whatsoeuer, within this Province that shall from & after the Publicacõn heereof Joyne in Marriage any Negroe or other Slaue to any Englishe or other Slaue to any English or other whitewoman Serv^{t} ffreeborne as aforesaid shall forfeite & pay the sume of Tenn Thousand pound of Tobacco, one halfe to the Lord Prop^{ry} & the other halfe to the Informer or the person greiued, to bee Recouered by action of debt bill plaint or Informacon in any Court of Record within this Province, wherein noe Essoyne Proteccõn or wager of Law to bee allowed, And bee itt further enacted by the Authority aforesaid, that one Act entituled an Act Concerning Negroes and Slaues bee & is heereby vtterly Repealed & made void, Provided that all matters &

thinges relateing in the said Act to the marriage of Negroes with ffreeborne women & theire Issue are firme & valid according to the true intent & purport of the said Act vntill this p^r^sent time of the Repeale thereof, any thing in this Act to the Contrary Notwithstanding. Liber W. H.

An Act for preventing vexacous and vnneccessary suites att Law.

Whereas diuerse & Sundry persons within this Province Contracting debts by acco^t^ with m^r^chants & others for which they stand & Remaine onely debtors vpon theire said Bookes of Acco^ts^ the which though they are honestly & well disposed to pay the same vpon demand ffirst had & Required of the said debt by the said Credito^rs^ or other person Lawfully authorized to Receiue the same without which itt is Impossible for the said debto^rs^ to knowe where or to whom to pay the said debt, yett seuerall of the said Credito^rs^ through a vexatious & Avaritious humor doe dayly Comence theire suites att Law ag^t^ such theire debto^rs^ without any demand of such theire debts of theire said debto^rs^ whereby the said debt is much Increased & the said debto^r^ thereby greately burthened & Impouerished by meanes of such theire vexatious & vnjust suites in Law, Bee itt therefore enacted by the Lord Prop^ry^ by & with the advice & Consent of the vpper & Lower houses of this p^r^sent Assembly & the Authority of the same that from & after the Twentieth day of decemb^r^ next, noe person whatsoeuer his Executo^rs^ or Adm^rs^ Liueing or Tradeing into this Province shall for any debt due or oweing to him by acco^t^ vpon Booke or otherwise, & for which the debto^r^ hath not past his hand & seale to such his Credito^r^ shall sue or Implead att Law such debto^r^ for any such debt Contracted as aforesaid, & not vnder hand & Seale of such debto^r^ aforesaid vnlesse hee shall ffirst demand and Requier the same of the said debto^r^ in the County where hee shall inhabitt, if att his Habitacon, & if not, then by leaueing a noate vnder the hand of such Credito^r^ or those hee shall Impower to Receiue the same, what time & to whome the same shall bee paid, And if therevpon the same bee not p. 176 accordingly paid then itt shall & may bee Lawfull for the said Credito^rs^ to sue & Implead such debto^r^ for the said debt, & Recouer ag^t^ him all such Costs & damages as vpon Legall Tryall in any Court of this province shall bee adjudged ag^t^ him & in Case any person shall sue or implead any such his debto^r^ as aforesaid, Contrary to this Act, hee shall loose all his Costs of such suite, & bee Liable to satisfy such his debto^r^ all such damages as shall accrue vnto the said debto^r^ by such his

Liber W. H. vexatious & vnjust suites of Law, Provided always that this Law nor any thing therein Contained shall bee Construed or extend to the benifitt of any person debtor as aforesaid, either Runnaway out of this Province or willfully absconding himselfe wthin the same from his said Creditors butt that hee may bee proceeded agt as before this Law made, any thing in this Act to the Contrary thereof notwithstanding, This Act to Continue for Three yeares or to the end of the next Sessions of Assembly.

An Act for restraining the exportacōn of Leather & Raw Hides Deare & Elke Skins out of this province for the encouragemt of Tanners & Shoemakers.

Whereas itt is found by dayly experience that the exportacon of Leather Raw & vndressed Tanned & vntanned Hides, & deare & Elke Skinns, which are frequently exported & Carried out of this Province, tend much to the greate hinderance of all Tanners Shoemakers & other Tradesmen whose Trades are supported & Carryed on by Leather & soe neccessary to bee encouraged & advanced for the good & benifitt of this Province, & all the Inhabitants thereof being of greate vse & Cōmodity for Cloathing in this Province, for prvencon whereof for the future, The delegates of this prsent Generall Assembly doe pray that itt may bee enacted And bee itt enacted by the Right Honourable the Lord Propry of this Province by & with the advice & Consent of the vpper & Lower houses of this prsent Genll Assembly & the authority of the same that from & after the ffiue & Twentieth day of december now next ensueing, what person or persons soeuer shall endeavour or attempt to export out of this Province either by Land or water any Raw Tannd or vntanned Hides dressed or vndressed Skinns whatsoeuer, of any Ox Steere Bull Cow Calfe Deare or Elke by Shipping the same on board any Shipp or vessell bound for any other porte or place, or Loading on horse backe or other Carriage by Land, for the intent & purpose as aforesaid shall for the ffirst offence forfeite all such Skinns or Hides soe attempted to bee exported or Carried out of this Province as aforesaid, & Likewise the sume of Twenty Shillings sterling
p. 177 for euery Skinn or Hide as aforesaid, And for the Second offence hee or they Transgressing as aforesaid shall forfeite all such Skinns or Hides soe attempted as aforesaid, & the sume of fforty Shillings Sterl for euery Skinn & Hide as aforesaid, & for euery offence after that hee or they Transgressing as aforesaid shall forfeite all such Skinns & Hides as alsoe the

sume of Three pounds Sterl, for euery such Skinn or Hide soe endeauoured or attempted to bee exported or Carried out of this Province as aforesaid, the one moyety thereof to the Lord Propry the other moyety to him or them that shall Informe or sue for the same to bee Recouered in any Court of Record within this Province, where noe essoyne protecc̄on or wager of Law to bee allowed, And for the better observance of the true intent & meaneing of this Act, & to the end that all fraud therein may bee prvented & taken away, Bee itt further enacted by the Authority aforesaid that from & after the said ffiue & Twentieth day of decembr next ensueing, noe person whatsoever within this Province shall att any time sell or dispose of any such Skinns or Hides aforesaid, to any fforreigner or stranger Merchant or Marrinr or other person whatsoeuer, Neither shall any fforreigner or Stranger Merchant or Marrinr or other person whatsoeuer presume to buy or purchase of any the Inhabitants or Natiues of this Province whether English Indian or Negroes any such Skinns or Hides as aforesaid, vnder penalty of forfeiting all such skinns or Hides soe sold purchased or disposed of as aforesaid, & for euery such Skinn or Hide soe sold purchased or disposed of as aforesaid, The sume of Twenty shillings Sterling for the ffirst offence & for the Second offence euery Skinn & Hide soe sold purchased or disposed of as aforesaid, & fforty Shillings Sterl for euery such skinn & Hide, And for euery offence after shall forfeite euery such Skinn & Hide soe sold purchased or disposed of as aforesaid, & Three pounds Sterl for euery such Skinn & Hide as aforesaid, one Moyety thereof to the Lord Propry the other Moyety to him or them that shall Informe or sue for the same, to bee Recouered in any Court of Record within this Province, Wherein noe Essoyne proteccon or wager of Law to bee allowed, And the deligates of this prsent Genll Assembly humbly pray that itt may also bee enacted, And bee itt further enacted by the Right Honourable the Lord Propry by & with the Advice & Consent aforesaid, & the Authority of the same, that from & after the said ffiue & Twentieth day of december next ensueing all Mars of Shipps & other vessells wtsoeuer tradeing Traffiqueing or Comeing into this Province shall bee & are heereby Required att such time when hee or they enter such theire Shipp or vessell to giue bond with sufficient security to the Right Honourable the Ld Propry That hee or they shall not Receiue take in or putt on board his or theire Shipp or vessell Shipps or Vessells any such Skinns or Hides as aforesaid, this prsent voiage, This act to endure for Three yeares or to the end of the next Genll Assembly which shall ffirst happen. Liber W. H.

Liber W. H. p. 178

An Act for paym^{t} & assessing the publicke charges of this province.

Whereas there hath beene ffiue hundred fforty seauen Thousand Six hundred & Six pounds of Tobacco, expended laid out & disbursed by the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & by seuerall others the good people of this Province for the publike good of the same & to the intent the same may bee satisfied & paid to those persons to whom the same is due, Bee itt therefore enacted by the Right Honourable the Lord Prop^{ry} by & with the advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the Authority of the same, that the said ffiue Hundred fforty Seauen Thousand Six Hundred & Six pds of Tobacco, to bee paid in manner & forme as is heereafter expressed, (that is to say) To Howell Powell Three Hundred pounds of Tob, to John Dickenson Three Hundred pds of Tob, to Benjamin Parrott Three hundred pds of Tob, to Walter Dickenson Three Hundred pounds of Tob, to Tho: Loggins Three Hundred pounds of Tob, to Andrew Carry, Three Hundred pds of Tob, to Charles Gorsuch Three Hundred pds of Tob, to Patricke Mullikin Three Hundred pds of Tob, to Howell Powell Three Hundred pds of Tob, to Will^{m} Steeuens att Bartho: Ennalls house Three Hundred pds of Tob, to Richard Swetnam one Thousand ffour Hundred sixty & six pds of Tob, to Patricke Mullikin one hundred Twenty ffiue pounds of Tob, to Richard Richardson Twenty pds of Tob, to Major Will^{m} Coursey nine hundred pds of Tob. to Sam^{ll} Abbott ffour Hundred & Twenty pds of Tob, to Thomas Pattison six Thousand pds of Tob, to Walter Dickenson Three hundred pds of Tob, to Edw^{d} ffish Three hundred pds of Tob, to John Clift Three Hundred pds of Tob, to Nicholas Bellifont Three hundred pds of Tob, to Edward Williams Three hundred pds of Tob, to Barth^{o} Lepers Three hundred pds of Tob, to Coll William Burges Three Thousand one hundred & ffifty pounds of Tob, to Henry Ridgely Six hundred pds of Tob, to Abraham Child Eighty pds of Tob, to Robert Proctor Three hundred pds of Tob, to Edmund Beetenson one hundred pds of Tob, to Stephen ffrancis one hundred & Twenty pds of Tob, to Christopher Bridgewater sixty pds of Tob. To Thomas Knighton Eleuen hundred sixty seauen pds of Tob, to Hen: Kidd ninety pds of Tob, to Tho: ffeild sixty pds of Tob, to William Reid, to John Grey, to Peter Bernett, to John Durden, to Richard Chaney Jun^{r} to Tho: Beeson, to Tho: Cox, to John ffreclton, to Rob^{t} Ward, to John Thrifte to Dan^{ll} Jones, to Will^{m} Jackson, & to Edw^{d} Carter, each Thirty pds of Tob, to Roger Newman one Thousand & ffifty pds of Tob, to Hen: Constable ffiue hundred & Tenn pds of Tob, to Ralfe Hawkins, to Humphrey Boone,

to Joshua Merrikin to Steph: Burle, to Edw[d] Jones, to John Pettibone, to Will[m] Cockes, to Richard Gwinn, to Will[m] Hawkins, to Will[m] Bissey, to Roger Newman, to John Smith, to Mathew Howard, to Steph: Hancocke, To Tho: Tucker, to William Penington, to Maurice Baker, to Chr: Rowles, to Martin ffaulkner, to James Crouch, to John Smith, to Edw[d] Lunn, to Edw[d] ffilks, to Simon Harring, to Tho: Bucknell, to Joseph Conaway, to Richard Bayley, to James Oricke, to John Peisley, & to John Richles each one hundred pds of Tob, to Cap[t] Richard Hill Three hundred Thirty Three pds of Tob, to Jacob young Twenty Thousand pds of Tob to Robert Jones & Thomas Hitchcocke Three hundred pds of Tob each of them, to Robert Somers & to Evan Salisbury each Eighty pds of Tob, to Humphrey Kiddle fforty pounds of Tob, to Michaell ffranckey & Arthur Carleton each ffifty pds of Tob, to Evan Salisbury Two hundred Thirty ffiue pds of Tob, to Cap[t] Richard Hill Eight Hundred pds of Tob, to Joseph Norwood ffour hundred & ffifty pds of Tob, to Tho: Pennington & to George Davis each Three hundred seauenty & ffiue pds of Tob, to John Larkine ffiue hundred & ffiue pds of Tob, to Henry Stockett one Thousand & ffifty pds of Tob. to Cap[t] Nich: Gassaway, to John Thirsty, to Thomas Hooke to Tho: Totton, & to Horton House each Thirty pds of Tob, to Edw[d] Selbey Eighty pds of Tob, to Edw[d] dorsey, to Robert Procto[r] to Tho: ffoord, to Antho: Holland, to And: Robertson, to John Worthington, to Walter Carr, to Abell Hill, to Tho: Lunn, to Mathew Hughes, to Robert Clerkson, to And: Norwood, to John Rockhold, to Lawrence draper, to William yeildhall, to Charles Steevens, to Tho: Browne, to John Stimpson, & to Will[m] Ridgely each Sixty pds of Tob, to Tho: ffrancis six hundred & ffifty pds of Tob, to Robert Lockwood, & to Tho: fford, to Robert Procto[r] to John Gressina, to Tho: Pratt, to the Adm[r] of Edward Parrish, to James Ellis, to W[m] Ridgeley, to Antho: Holland, to John Beaman, to John Worthington, to Sam[ll] Garland, to John Spencer, to Tho: Lunn, to Abell Hill, to John Sallers, to George yate, to Augustin Skinner, to Charles Beauen, to fferdinando Battee, to Henry Bennett, to John vaughan, to Richard Bedworth, to John Stimpson, & Will[m] Stafford each of them one hundred pds of Tob, to fferdinando Battee, fforty pds of Tob, to Tho: Vaughan Three hundred & ffifty pds of Tob, to Nath: Evetts one hundred seauenty ffiue pds of Tob, to Jos: Norwood seauenty pds of Tob, to W[m] Hoggs Three hundred Twenty ffiue pds of Tob, to Cap[t] John Stansbey, one hundred & ffifty pds of Tob, to James Phillipps Two hundred pds of Tob, to Tho: Cooke & to Tho: Lowe, each one hundred pds of Tob, to John Walston sixty pds of Tob, to Ben: Bennett & to W[m] osborne each

Liber W. H. p. 179

Liber W. H. fforty pds of Tob, to John Cooke, to Sam[ll] Browne to James Bannister, to Mi[rs] Goldsmith, to Sam[ll] Brand, & to Tho: Lowe each Thirty pds of Tob, to Edw[d] Jackson, to dennis English, to ffrancis ffry, to James Glasseby, to Rob[t] Jones Jun[r] & to W[m] Horne each Twenty pds of Tob, to John Cooke, to Chr: Tople to John Walston, to Walt[r] Mowberry, to Anthony Mapowder, to Alex: Wallis & to Chr: Johnson, each Tenn pds of Tob, to Coll Geo: Wells one hundred pds of Tob, to Coll Vincent Lowe Twelve hundred pds of Tob, to Hen: Johnson Two hundred pds of Tob, to ffran: Watkins Two hundred & sixty pds of Tob, to Tobias Stanborrow Two hundred & Seauenty pds of Tob, to Cha: Gorsuch Twelve hundred pds of Tob, to Cap[t] Jn° Watterton one hundred Thirty & Two pds of Tob. to L[tt] John Boaring one hundred & sixteene pds of Tob, to Jacob Jenifer & Rob[t] Benjor each one hundred and Twenty pds of
p. 180 Tobacco, to John Newman & Anth° Maypowder each Eighty pds of Tob, to John Thomas, & Nath: Hinchman each sixty pds of Tob to John Thornton, to John Woodvine, & to Jacob Jeniferr each ffifty pds of Tob, to Tho: Richardson, to Tho: Marshall, to W[m] Wilkenson to Tho: Clarges, & to Edw[d] Thomas each fforty pds of Tob, to Thomas Marshall, to Marke Child, to Tho: Browne, to Jn° Baker, to W[m] Bennett to Phillipp Pitch, to Jacob Jenifer, to Marke Child, & to John Clarges each Thirty pds of Tob, to Mich: Jude Twenty Six pds of Tob, to Tho: Jones, to Mathias Walrauen, to Walt[r] Thomas, to Tho: Marshall, to Rich[d] Lowe, to W[m] Westbury, to John Wright, to Jn° Tilliard to John Melton, to Arthur Tayler, to Jn° Wright, to John Hill Jun[r] to W[m] Choice, to Tho: Richardson, & to Lawrence Richardson, each Twenty pds of Tob, to John Keksey fforty pds of Tob, to W[m] Yorke fforty Six pds of Tob, to Mich: Judd, to John Owen, & to Jn° Bird each Twenty Six pds of Tob, to Roger Spinkes, to Rob[t] Gates, to Izraell Skelton, to Rich[d] Pomfrett, to Dauid Stadeling & to James Collier each Tenn pds of Tob, to Cap[t] John Stansbey Three Thousand pds of Tob, to Cha: Hutchins Two Thousand Eight hundred pds of Tob, to John Hudson Two Thousand pds of Tob, to Gilbert Attwood one Thousand & ffifty pds of Tob, to John Homewood & to Hen: Tripp each six hundred pds of Tob, to Cap[t] Antho: Dawson Three hundred pds of Tob, to Abra: Child one hundred pounds of Tob, to Edmund Beetenson ffifty pds of Tob, to John Stauely one hundred & fforty pds of Tob, to John Bloomefeild ffour hundred pds of Tob, to And: Abington ffour hundred & fforty pds of Tob, to Tho: Smith sixty pds of Tob. to Hen: Smith Two hundred Thirty Two pds of Tob, to Tho: Doxey Ninety nine pds of Tob, to Gilbert Turberfeild & to Jacob Lookon each one hundred seauenty ffiue pds of Tob. to Tho: Jones, to

Richard Attwood, to Rich[d] Mason, to John Stauely, to Bryan Liber W. H.
odayly, to Sam[ll] Asbiston, to Charles Preist, to Tho: Window,
to Jasper Jessopp, to Rob[t] Moyce, to Augustin Warrin, to
Dan[ll] Haley, to Joseph Rayston, to James Pencoate, to Geo:
Paton, to Jn[o] Ward, to Will[m] Boeing, to Peter Delaroch, to
Richard Newin, to James Tarleton, to Dan[ll] Mareigne each
seauenty pds of Tob, to Cap[t] John Cambell Two hundred
Thirty Two pds of Tob, to Rob[t] Law, & to Cap[t] John Cambell
each Ninety nine pds of Tob, to Marmaduke Semme Two
hundred & Thirty pds of Tob, to Henry Leiwis, & Rob[t] Car-
vile each Eighty pds of Tob, to W[m] Rosewell one Thousand
fforty & Eight pounds of Tob, to John Baker Three hundred
sixty & Eight pds of Tob. to James Bowling Eight hundred
pds of Tob, to Edw[d] Russell & John Redman each Thirty nine
pds of Tob. to Dan[ll] Smith, to Dan[ll] Galbee, to Tho: Garsey,
to James Martin, to James Tarleton, to W[m] Ashing, to W[m]
Simpson, to Augustin Derrett, to Joseph Wildblood & to
Jacob Looton each Thirty pds of Tob, to Tho: Kersey, & Evan
Jones each ffifteene hundred pds of Tob, to Majo[r] Ambrose
Loudon Twelve hundred pds of Tob, to John Ingram & Joseph
Walston each Three hundred pds of Tob, to Rob[t] Willson ffour
hundred & ffourteene pds of Tob, to Coll W[m] Steevens Nine
hundred pds of Tob, to Chr: Nutter one hundred & Eighty
pds of Tob, to James Witherly & Jn[o] Ellis each sixty pds of
Tob. to Rice Thomas & to W[m] Browne each Twenty pds of
Tob. to Sam[ll] Jackson, to Jer[a] Hooke, to W[m] Robinson, & to p. 181
John Covington each fforty pds of Tob, to John Townesend
Eighty pds of Tob. to Ja: Ellis, & to Tho: Lunn each ffour hun-
dred pds of Tob, to John Stone Two Thousand pds of Tob, to
Anth[o] Demundadeere, & John Merriott each Eight Thousand
pds of Tob, to Majo[r] W[m] Boareman one Thousand ffour Hun-
dred pds of Tob, to James Cullen seauenty pds of Tob, to
ffrancis Burton ffour Thousand pds of Tob, to John Squier
Two hundred pds of Tob. to ffrancis Catterson Three hundred
& ffifty pds of Tob, to Cap[t] Ninion Beale Two Thousand ffiue
hundred & seauenty pds of Tob, to Rob[t] Webb Six hundred
pds of Tob, to Susanna Keene Six hundred & nine pds of
Tob, to Tho: Sterling Seauen hundred Sixty Eight pds of
Tob, to John Hance ffiue Hundred Ninety ffour pds of Tob, to
ffrancis Collier ffiue hundred sixty seauen pds of Tob, to Peter
Oakley ffour hundred pds of Tob. to Majo[r] Tho: Tayler Three
hundred seauenty ffiue pds of Tob. to Maurice Mathews Two
hundred Twenty ffiue pds of Tob, to W[m] Willoughby, & to
Rich[d] Adams each one hundred seauenty ffiue pds of Tob. to
Barth[o] Ennalls, to W[m] Steevens, to W[m] Dorrington, to John
Pollard, to Ja: Pattison, to Humph: Hubbert, to Richard Bat-
well, to John Stuart, to Edw[d] Newton, to Jn[o] Newton, to Ja:

Liber W. H. Egg & to W^m^ Mishne each one hundred & ffifty pds of Tob. to Tho: Deakins drum̄er Two Thousand pds of Tob, to Geo: Watts Eight hundred pds of Tob, to Calvert County Three Thousand six hundred pds of Tob. to Tho: Marshall one hundred pds of Tob, to Mich: Ashford Three hundred pds of Tob, to John Court one Thousand ffiue hundred pds of Tob, to John Wilder Thirty nine pds of Tob, to Chr: Kerkly, to ffran: Mason, to W^m^ Nicholas, to Nich: Berline, to Hen: Reynolds, to John Browne, to John Cuningham, to John Eastwood, to W^m^ Paddison, to W^m^ Randford, to Tho: Tailor, to W^m^ Porteene to Steph: Mekin, to Hen: Goodricke, to Olliver Hartchford, to Ja: Greene, to Chr: Murrell, to John Hambleton to Jn^o^ Lamrin, to W^m^ Roberts, to Jer: Sewall, to Humph: Edwards, to Hen: Robbins to Geo: Late, to Chr: Murrell, to Jn^o^ Hambleton, to Peter Williams, to Phillipp Mason, to Phi: Combes, to W^m^ Herbert, to Ja: Bayley, to John Browne & to Hen: Goodricke each Thirty pds of Tob. to John Charles Cashee seauenty Eight pds of Tob. to Ja: Smallwood seauenty ffiue pds of Tob, to Cap^t^ Rand: Brandt Nine Thousand Three hundred pds of Tob, to L^tt^ Geo: Godfrey Three Thousand Two hundred pds of Tob. to Rob^t^ Middleton ffour Thousand ffiue hundred pds of Tob, to Thomas Shuttleworth Two Thousand ffour hundred pds of Tob, to Jn^o^ Reddishe one Thousand pds of Tob, to John Godshall to John Wood & Rob^t^ Thompson each Two Thousand one hundred pds of Tob, to W^m^ Williams one Thousand nine hundred pds of Tob, to Ja: Wheeler, to W^m^ Wells, to Geo: Groues, to ffra: Harrison, to Edw^d^ ffranner, to Jn^o^ Lambert, to W^m^ Newman, to Richard Duraden, to W^m^ Ward, to Hen: Adams, to W^m^ Hatch, to W^m^ Hatton, to ffran: Sheffeild, to Elion^r^ Beane, to Lawrence Young, to Jn^o^ Conney, to ffran: Chumney, to Rich: Harrison, to Phi: Lynes, to Jn^o^ Gourty, to Alex: Standish, to Humph: Jones, to Edw^d^ Abbott, to Jo: Manning to Rich: Hodgson to Tho: Crackson, to Kenelm Mackloughlin to Rich: New, to Adam Boucher to Mathew Dike, to Ralph Bartlett to Rob^t^ Potts, to Leiwes Jones to Math: Herman, to Nich: Cooper, to John Hawkins, to Geo: Guest, to Jn^o^ Smallwood to Cornelius Maddox, & to Jo: Woolfe each of them one Thousand Eight hundred pds of Tob, to W^m^ Theobalds, to Tho: Hussy, to Jn^o^ Barker, to Tho: Hargus, & to Alex: Smith each of them one Thousand six hundred pds of
p. 182 Tob To John Lambert, & to Cap^t^ Rand: Brandt, each Six hundred pds of Tob, to Tho: Dauis One Thousand ffiue hundred pds of Tob, to Will^m^ Smith, to ffra: Goodricke, to John Cornish, & to Richard Hodgson each of them one Thousand Two hundred pds of Tob, to James Delahay Nine hundred pds of Tob, to Anth: Neale one Thousand Two hundred pds of Tob, to Tho: Clipsham one hundred & ffifty pds of Tob, to W^m^ ffrost

one hundred & ffifty pds of Tob, to Ja: Baylies & to Cap^{t} Liber W. H.
Rand: Brandt each Three hundred pds of Tob, to Robert Goodricke one Thousand & ffifty pds of Tob, to Steph: Machin one hundred pds of Tob, to Joseph Hedges, & Geo: ffewtrell each ffifty pds of Tob. to Tho: Wakefeild, to ffra: Sheffeild, & to John Conny each Two hundred pds of Tob. to Cap^{t} Rob^{t} Henly ffiue hundred pds of Tob. to owen Newen Post Seauen Thousand pds of Tob. to Tho: Baker Interpreter Two Thousand pds of Tob, to Will^{m} Greengo Three hundred & ffifty pds of Tob, to Coll W^{m} Calvert ffiue Thousand pds of Tob. to W^{m} Taylor one Thousand Six hundred pds of Tob, to Tho: Bankes Eight hundred & eleuen pds of Tob, to Hen: Tripp Two hundred pds of Tob, to Rob^{t} Ward one hundred & Thirty pds of Tob, to John Lewellin Nine Thousand Nine hundred pds of Tob, to Cha: Boteler Clerke Assistant of the Lower house ffiue Thousand six hundred pds of Tob, to Tho: Bland Clerke to the Comittee of Laws ffour Thousand six hundred pds of Tob, to Nich: Painter Clerke to the Comittee of acco^{ts} Three Thousand Eight hundred and ffifty pds of Tob. to ffra: Catterson for Publicke expences Twenty Two Thousand Three hundred Eighty Nine pds of Tob, to Garrett Vanswearingen for publicke expences Twenty Eight Thousand Eight hundred & Eighty pds of Tob, to John Baker for Publicke expences Sixty Three Thousand Six hundred & Thirteene pds of Tob, to Tho: Pew Seauen Thousand pds of Tob, to Majo^{r} Will^{m} Boareman Eight hundred pds of Tob, to Simon Spratling for the vse of Will^{m} Benn one Thousand seauen hundred & ffifteene pds of Tob, to Rich: ffenwicke Two hundred and Thirty pds of Tob, to Robert Ridgely Two hundred pds of Tob, to Tho: Deakins Ninety one pds of Tob, to Edm^{d} Beetenson Seauenty pds of Tob, to Abra: Child one hundred & fforty pds of Tob, to Nicholas Nicholson Three Thousand ffiue hundred pds of Tob, to W^{m} Cockes Eight hundred pds of Tob, to Tho: Shore, & to Ja: Cullen each ffour hundred pds of Tob, to Coll William Calvert one Thousand Two hundred pds of Tob, to Joseph Norwood Eight hundred pds of Tob, to Hen: Costin Eight hundred pds of Tob, to Dan^{ll} Clocker one hundred & fforty pds of Tob, to Seath Sargeant one hundred & ffifty pds of Tob, to John Boyer Sixty pds of Tob, to Joseph Norwood ffour hundred pds of Tob, to Henry Exon for publicke Expences fforty Nine Thousand ffour hundred & Ninety pds of Tob, And to the seuerall Sherriffes in this Province for theire Sallary for Collecting the sume of ffour hundred Ninety seauen Thousand Eight hundred Twenty ffour pds of Tob, the sume of fforty Nine Thousand seauen hundred Eighty Two pds of Tob, And bee itt further enacted by the advice Consent &

Liber W. H. Authority aforesaid that the aforesaid sumes of Tob, amounting in the whole to the sume of ffiue hundred fforty seaven Thousand six hundred & sixty pds of Tob, bee Leavied &
p. 183 Assessed by an equall Assessment vpon the persons & estates of the Inhabitants of this Province, & bee paid to the seuerall persons to whome the same is due according to the accots & disbursemts & neccessary Charges of this Province, which haue beene examined stated & allowed by the vpper & Lower houses of this prsent Genll Assembly, any Law Statute vseage or Custome to the Contrary thereof in any wise Notwithstanding.

An Act for reviveing of certaine Laws within this Province.

ffor as much as many good & wholsome Laws haue beene made within this Province, which being Temporary will of themselues expire if not Revived & Continued by this prsent Genll Assembly, Bee itt therefore enacted by the Right Honourable the Lord Propry by & with the advice & Consent of the vpper & Lower houses of this prsent Genll Assembly & the Authority of the same, that one Act made att a Genll Assembly begunn & held the Seauen & Twentieth day of Aprill, one Thousand Six hundred ffifty & Eight, entituled an Act for Advancemt of Childrens estates, one other Act made att a Genll Sessions of Assembly held att St Johns the Seauenteenth of Aprill one Thousand six hundred sixty one entituled an Act Concerning the heith of ffences, one other Act made att the same Assembly entituled an act Concerning the Conveyance of Letters, one other Act made att a Sessions of Assembly held att St Marys the ffirst day of Aprill one Thousand six hundred sixty & Two entituled an Act Concerning Indians one other act made att a Genll Assembly held att St Marys the ffifteenth day of Aprill one Thousand Six hundred Sixty & Three, entituled an Act Prohibiting arrests vpon Sabboth dayes, one other act made att the same Assembly entituled an Act for Amercemts in the Provll & County Courts, one other Act made att the same Assembly entituled an Act Concerning Proceedings att Law, one other act made att a Genll Sessions of Assembly held att St Marys the Tenth day of Aprill one Thousand six hundred sixty & six entituled an Act Prohibiting any Trade wth Indians for any fflesh except deere & Wild fowle, one other Act made att the same Assembly Entituled an Act Prohibiting fforreigne Ingrossers, one other Act made att a Genll Assembly held att St Marys the Thirteenth day of Aprill one Thousand six hundred sixty & nine, entituled an

Act for Limitacon of accōn one other Act made att the same Assembly, entituled an Act for the provideing sufficient freight & Carriage for the propr goods & Comoditys of his Lopp, one other Act made att the same Assembly, entituled an act for Limitting attachmts & what shall bee Leavied vpon Attachmts & Execucōns one other act made att the same Assembly, entituled an Act provideing what shall bee good Evidence to prove fforreigne debts, one other Act made att a Genll Assembly held att St Marys the seaventh day of March one Thousand six hundred seauenty & one, entituled an Act agt Hoggstealers, one other Act made att the same Assembly entituled an Act for the provideing a standard wth English weights & measures in the seauerall & Respectiue Countys within this Province one other Act made att the same Genll Sessions of Assembly held att St Marys entituled an act prohibiting the Importacon of horses, Geldings, Mares, & Colts into this Province, one other Act made att a Genll Sessions of Assembly held att St Marys the Tenth day of october one Thousand Six hundred seauenty & one entituled an Act for stay of Execucōns after Aprill Court, one other act made the same Assembly entituled an Act for killing of Woolves, one other act made att a Genll Sessions of Assembly held att the Citty of St Marys the Thirteenth day of Aprill one Thousand Six hundred seauenty & ffour entituled an Act for Impanelling the Grand Jurys within the seauerall Countys in this Province, one other Act made the same Assembly entituled an act Limiting accōns agt the Surveyor Genll of this Province, one other Act made the same Assembly, entituled an Act for paymt of ffees due from Criminall persons, one other Act made att the same Assembly entituled Concerning those Servts wch haue Bastards one other act made att the same Assembly entituled an act agt Burners of ffences, one other act made att the same Assembly entituled an Act prohibiting all Mastrs of Shipps or vessells or any other persons from Transporting or Carrying away any person or persons out of this Province without passes, one other Act made att a Generall Sessions of Assembly held att St Marys the Twelfth day of ffeb: one Thousand six hundred seauenty & ffour, entituled an Act what shall bee allowed Grandjurys that are sumoned out of the body of the Province, Twice a yeare to Attend the Provll Court, one other Act of Assembly made att a Genll sessions of Assembly held att St Marys the ffifteenth day of May one Thousand six hundred seauenty & six, entituled an act Relateing to the Seizure of Tob, by the Sherriffe, one other act made the same Assembly entituled an Act for the Publicacon of Marriages, one other Act made the same Assembly entituled an act Concerning Servts & Slaues, one other act made the

Liber W. H.

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Liber W. H. same Assembly, entituled an act touching Coopers & the gage of Tob Hoggsheads, one other Act made the same Assembly, entituled an Act for Easm^t^ of the Inhabitants of this Province in suites of Law for finall debts, one other Act made the same Assembly, entituled an Act for the Constables takeing a List of the Taxables, one other act made the same Assembly entituled an Act ag^t^ the Importacon of Convicted persons into this Province, one other act made att the same Assembly entituled an Act secureing Credito^rs^ one other act made att a gen^ll^ ssessions of Assembly held att S^t^ Marys the Twentieth day of Octob^r^ one Thousand six hundred seauenty & Eight, entituled an act for the Regulateing Ordinarys & Limiting the number of them within this Province, one other Act made the same Assembly, entituled an Act for elecc$\bar{o}$n of Sherriffes one other Act made att the same Assembly entituled an act for the better Admstracon of Justice in the County Courts, one other Act made the same Assembly entituled an Act for appeales & Regulateing Writts of Erro^r^ one other Act made att the same Assembly entituled an Act for appeales & Regulateing Writts of Erro^r^ one other Act made att the same Assembly entituled an act for keepeing a Register of Births Marriages & burialls in each Respectiue County, one other Act made the same Assembly entituled an Act Imposeing a penalty on all such who shall dispose of Tob seized & Reced by the Sherriffe & others, one other act made att the same Assembly, entituled
p. 185 an act for Reviveing and Confirmeing Certaine Laws in this Province, one other act made att an Assembly begunn & held att S^t^ Marys the Tenth day of october one Thousand and six hundred seauenty & one entituled an act for explanacon of one Clause in an Act prohibiting the Importacon of all Horses Mares Geldings, & Colts into this Province with an Addiccon & Amendm^ts^ therein, the same acts & euery of them bee & are heereby Revived & Confirmed to stand in full force & vertue, for & dureing the Terme of Three yeares or to the end of the next Gen^ll^ Assembly, w^ch^ shall ffirst happen./

Private acts paste viz^t^

An act for the naturalizacon of Peter ffowcate & Cornel: Boys.

An act for the naturalizacon of Peter Ouldson & Lewis Blangey.

And therefore wee Com̄and thee that these Laws & euery article in them Contained att the vsuall places in the County you cause to bee proclaimed & published & fimely to bee kept Witnesse ourselfe att our Citty of S^t^ Marys the Seauenteenth day of Septemb^r^ in the sixth yeare of our dominion &c. Annoq^r^ dom 1681.

P: Calvert Canc.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, November 1–12, 1681.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

At an Assembly held at the City of
S[t] Maries November the first 1681

Where Appeared of the Upper house

The Honourable { Philip Calvert Esq[r] Chancllor
William Calvert Esq[r] Secretary
Coll: Henry Darnall
Coll Vincent Lowe }

Adjourn till to Morrow Morning

November the 2[d] 1681 Upper house mett

Present

The honble { Philip Calvert Esq[r] Chanc[r]
William Calvert Esq[r] Sec[ry]
Vincent Lowe Esq[r] Sur Gen[l] } Coll: Henry Darnall, Capt William Digges

Upper house of Assembly Novem[r] the 2[d] 1681.

This house desire the Speaker and other the Members of the Lower house to come into this house, where this house will Communicate unto them what they have received in Charge from his Lordship

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly.

M[r] Carvile and M[r] Rousby come to acquaint this house to go out upon the Committee for Accounts and desire Some of this house may be Nominated to Ioin with them they likewise acquaint this house that they had in Charge to desire the Order of this house to the Clerk of the Council to give them a Copy of a Declaration of his Lordship which had been lately published in Ann Arundell County

To which this house did Reply they would give them an Answer when they mett together—

They return to their own house and the above Message of this house is Sent to the Lower house by the Secretary

The Secretary having Delivered the Same returns again to this house

The Speaker and Lower house with their Clerk come into this house The Chancellor acquaints them that his Lordship

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was very much Troubled that by reason of his present Indisposition he could not meet the Assembly here at this time, that he had given Orders to this house to acquaint the Lower house, that the Chief end of calling them at this time was to pay off the Souldiers, and other Publick Charges which he hoped they would Expedite with what Speed they could without Adding thereunto with their Long Sitting, that the Province was generally Burdened by the Charge of Prisoners who were forced to be Secured by a Guard for want of Prisons and therefore his Lordship had Recommended to the care of both Houses some Expedient in that Case to provide some wholesome Law for the Securing of Prisoners by a Goaler
p. 357 under the Sheriff to whom Some Allowance to be made for the Security of them without the Charge of a Guard, that if any thing of Moment did Occurr unto them which would not require too Tedious a Debate his Lordship and this house would readily Ioin with them in any thing Reasonable

Upper house November the 2d 1681

This house have appointed Coll: Lowe and Coll: Tailler when he comes to Join with the Members of the Lower house Appointed for the Committe of Accts

Signed pr Order pr Iohn LLewellin Cl of Assembly

Sent by Coll: Darnall and the house Adjourns to the Council Chamber at Vansweringens

At the Council Chamber Upper house mett according to Adjournment

Where appeared as before and Coll: Tailler

Mr Cheseldyne from the Lower house comes with the Book of Laws & acquaints this house that the Lower house taking into Debate the Chancellors Speech, that part thereof that relates to the Security of Prisoners having occasion to peruse the Law made for Court house and Prisons could not find the same in the Book did desire Search to be made amongst the Rolls that they might have a View thereof

The Chancellor made Answer he would Provide it against Morning

Mr Cheseldyne returns

Mr Carvile and Mr Rousby come again from the Lower house to desire a Copy of his Lordships Declaration which they Suppose may be in the hands of the Clerk of the Council

They are Answered that the Same is not there but shall be procured for them, So Soon as possibly they cann

They return into the Lower house

House Adjourns till to Morrow ten a Clock

Upper house Mett November the 3d 1681 U. H. Journal 1659–98

Present

The Honourable { Philip Calvert Esqr Chancr, William Calvert Esqr Secrry, Vincent Lowe Esqr Sur Genl } { Coll: Thomas Tailler, Coll: Henry Darnall, Capt William Digges }

Coll: Lowe and Coll: Tailler goes to the Committee of Accounts

The Copy of his Lordships Declaration in Relation to his Proceedings the last Assembly being by Order of this house Transcribed by the Clerk of the Councill is Sent to the Lower house by Captain Digges with this following Message Vizt

Upper house November the 3d 1681.

This house having received Several Messages Yesterday from the Lower house for a View of his Lordships Declaration published in Ann Arundell County according to their promise made Application to his Lordship for a Copy which he hath this Day Sent to this house and which this house now Sends to the Lower house for their perusall, This house have further received in Charge from his Lordship to lett the Lower house know that the frequent Clamours of the Quakers in Ann Arundell County Moved his Lordship to this Declaration p. 358 And that for the future he is fully resolved to publish the Proceedings of all Assemblies for the Satisfaction of the People of this Province in generall

Signed pr Order pr Iohn LLewellin Cl of the Councill—

A Petition preferred by Hugh Riley of Calvert County with a Schedule of Sundry Goods taken from him by the Northern Indians the 4th of September last. To the Value of Twelve thousand and Twenty pounds of Tobacco praying Relief

Also one other Petition preferred by Capt Edward Brock of the Same County Setting forth that he had Severall times in the Months of August and September been Assaulted in his house by the Northern Indians in their March to Pisscattaway & Zachaiah and had Severall losses and Damages by the said Indians, prays he may be Admitted to make proof thereof and so Consideration had of his Condition, by Allowance to be made him out of the Publick Levy this year, according to List of Particulars of his said Losses Annexed to this Petition

Both which Petitions were thus underwritt and Sent to the Lower house by the Secretary who is to acquaint them that this house had Adjourned to the Chancellors to Morrow

Upper house November the 3d 1681.

The consideration hereof is referred to the Lower house

Signed pr Order pr Iohn LLewellin Cl of Assembly

U. H. Journal 1659–98 The Secretary returns and the house Adjourns to his Honour the Chanellors to Morrow Morning ten a Clock—

November the 4th 1681
Upper house mett according to Adjournment

Present
The Right honourable the Lord Proprietary
The Honourable { Philip Calvert Esq[r] Chancellor; William Calvert Esq[r] Secretary; Coll: Henry Darnall; Captain William Digges }

Upper house November the 4th 1681

This house having received Information of the great Abuse put upon the Act Prohibiting the Exportation of Hides &c: passed both houses the last Meeting from the Insolency of the Tanners taking Advantage thereby to tell the People, that whereas they have been formerly wonted to allow a p[r] of Shoes for a Hyde and fetch it, they will now have two hides and Such as they like brought to them for one Shoe which will prove very Injurious to the Inhabitants of this Province in Generall they rather refusing to let their Hides lye and rott in the Place where they kill their Beasts then take the Trouble to preserve them for Nothing

This house Recommend the Same to the Consideration of the Lower House and Desire they will Regulate the Same by repeal of the said Act or by providing another Law to Ascertain the rates at which the Tanner Shall be induced or Obliged within a Certain time also to be therein Limitted to fetch such
p. 359 Hides &[a] and in case of failure, giving Liberty to the Owners to Transport or otherwise Dispose of them to their best Advantage—

Sent p[r] Coll Darnall to the Lower house.
and Adjourn till Afternoon

House again mett according to Adjournment
Where appeared as before and allso Coll: Lowe and Coll Tailler

November the 4th 1681.

The Upper house being all of them Iudges of the Provincial Court and having had a three years Experience of the Law Entituled an Act for Appeals and Regulating Writts of Error Do find that if every Appealeant from the County Courts

shall be in no better Condition then the Person that Purchaseth a Writt of Error the County Courts will prove the greatest Grievance in the Province, Since the unskillfullness of the Attorneys Admitted Commonly in the County Courts is Such that upon Errors Assigned the Iudgement will undoubtedly be reversed but in case of Appeals the Merit of the Cause be by a New Declaration, Plea, issue, and Tryall, by Evidence at Barr brought before the Provincial Court, We doubt not but to bring things to that Pass that Writts of Error shall not be so common nor Vexatious as heretofore, being resolved to Settle Such Rules for the Provincial Court as shall hinder Writts of Error for the future in Assemblies, and therefore desire the Lower house to take that Act into Consideration and Amend it in case of Appeals U. H. Journal 1659–98

Signed p^r^ Order p^r^ I LLewellin Cl of Assembly—

Ordered that the Message be Delivered to the Secretary by him to be carried to the Lower house to Morrow Morning—

And this house Adjourns till to Morrow ten a Clock to the Same Place

November the 5th 1681 at the Chancellors House

Upper house mett being Present

The Right Honourable the Lord Proprietary

The honourable { Philip Calvert Esq^r^ Chancellor; Coll: Henry Darnall; Captain William Digges }

Adjourn to the Council Chamber—

where all mett as before.

also The Honourable— { William Calvert Esq^r^ Secretary; Coll: Vincent Lowe; Coll: Thomas Tailler }

A Message from the Lower house p^r^ Cap^t^ Sibrey & M^r^ William Pierce

Lower house of Assembly November the 5th 1681

Upon a Message from the Upper house by Coll: Darnall relating to the Act Prohibiting the Exportation of Hides and the Advantage and abuse, made thereof by the Insolency of the Tanners of this Province, This house having taken the Same into their long and Serious Debate do Vote that in Consideration of the great likelihood and Probability of a considerable and Publick benefit that will come to the Good People of this Province by the making & Continuance of The said Act, and for that this House is informed by Some of their p. 360

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Members that many of the Inhabitants of this Province are upon the Encouragement of the Said Act making considerable preparations for Tanning, The said Act Prohibiting the Exportation of Hides &[t] be not repealed but stand and be in force according to the Purport and intent of the said Act hoping that the Insolency Complained of by the Upper house of some particular Tanners will in no wise impede the good Intent and Designe of the said Act, which they are Confident (Notwithstanding Some present Inconveniencies of the Same) will Soon turn to the generall good of the Province and Answer the reasons and Designs for which it was made

Signed p[r] Order p[r] C Boteler Cl Ass[t] of the Lower house of Assembly

Adjourn for half an hour

Upper house mett again present as before.

The Secretary having Delivered the Message of this house according to the Vote of this house Yesterday returns again and Signifies the Same to this house

Then read a Petition from Diverse the Inhabitants above the head of Wicocomoco River and Divers other parts of this Province Praying an Act of Assembly for Building houses Convenient by the Water Side for Sheltering Tobaccos of the Forresters either at the Charge of the Forresters or owners of the Land, by a Iury to be Asscertained at what rates

A Letter also to M[r] Carvile one of the Members of the Lower house to speak to the Same Subscribed by Iames Bowling, Thomas Mudd, Richard LLoyd, William Boarman Iun[r], Iohn Dent, William Rosewell, Thomas Turner, Thomas Marshall, Abraham Coombes, and Thomas Grunwin

M[r] Gerrard being called Declares that he had already received Sufficient Damage by the Forresters bringing their Tobaccoes, by Seamen continually Lying at his house all the time of Shipping besides the Spoiling and throwing Down his Plantation and Fencing, that he had proposed unto them to Build them Houses Sufficient for Securing their Tobaccos, and be Answerable for the Same at ten pounds Tobacco p[r] hh[d]

Upper house of Assembly November the 5th 1681.

This house taking into their Serious Consideration that there are Several Writts of Error upon Several Iudgments in the Provincial Court now made returnable in this house and there still Depending undetermined and finding that those Writts of Error are not Legally brought before this house according to the Manner of bringing Writts of Error in Parlia-

ment and there being no Law in this Province yet made Directing how and in what manner Writts of Error shall be brought in Assembly against the Iudgment of the Provincial Court, and there being no Statute of Jeofailes yet made in this Province, and the last Statute of Jeofailes made in England not altogether Remedying all Errors and things Necessary to be remedyed in this Province and the Words in the Said Act (not being against the right of the Nature of the Suit) Seeming to give Power to Remedy all Matters and things that are not Essential against the Meritt of the Cause but may Admitt of a Dispute till the same be better Explained by a Law of this Province, which to avoid many unnecessary Delays and Cavills in Suits at Law is very much Desired as Conducing much to the Quiet ease and Good of the Province in General but to the end an end may be put to these Suits now Depending this house do Declare that they shall be willing to hear the said Errors if the Parties on both Sides or their Attorneys will by their Consent under their hands agree to referr the whole matter upon the Said Errors in relation to the Merits of the Cause and the right of the Nature of the Suit to this house Waveing all formallities of Errors in Proceedings and other Misprisions in Point of Practice Whatsoever, This house not being willing to hear and Determine the same otherwise And this house doth Declare, and So Order that untill a Law be made for Directing how Writts of Error Shall be brought from the Iudgment of the Provincial Court and a Statute of Ieoffailes made, No Writt of Error shall hereafter be brought against any Iudgment in the Provincial Court or any Iudgment there Stayed or Superseded by any Writt of Error returnable in Assemblies till such Law made but that if any Person find himself Aggrieved by the Iudgment of the said Court he shall move the Court to Arrest the Iudgment till the next Court and within a fortnight after the Court file his Errors and reason for the Arresting the said Iudgm^{t} to which the other side is to Answer by the next Court, and if the Iudgment be Affirmed the said Party that Arrests the Iudgment shall pay Increase of Costs & Damages for the Arressting the Iudgment, and the Delay of Execution as the Court Shall See requisite and according to Iustice and if the Iudgment for the reasons af^{d} be sett aside the Party whose Iudgment is Stayed or Sett aside Shall pay costs also, and from the said Iudgment of the Provincial Court upon Debate of those reasons and Errors there shall be no further Appeale or Stay by Writt of Error brought or Supersedeas whatsoever till the same be further Settled by a Law as aforesaid, and this house will appoint the Second Tuesday next meeting to hear the Errors aforesaid, and the Attorneys are forthwith to enter

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U. H. Journal 1659–98 their Assents in writing with the Clerk of this house and the Party refuseing to Consent as aforesaid shall be Dismissed this house with Costs And that this Order be Entered in the Iournall of the Lower house to Secure the Proceeding of the Provincial Court till next Meeting of this Assembly and this house further desire the Concurrence of the Lower house in the Appointing Mr Robert Carvile, Mr Kenelm Cheseldyne, Mr Iohn Rousby, and Mr Iohn Burford, or any three of them to prepare an Act for Jeoffailes at the next meeting of this Assembly.—

Signed pr Order pr Iohn LLewellin Cl Council

The foregoing Message relating to the Tryall of Writts of Error this house sent to the Lower house pr Captain Digges—

A Message from the Lower house pr Mr Hill & Mr Robotham they return his Lordships thanks for his favour in a Message Sent them by Coll Lowe that the Errors Depending should not come to Tryall this Assembly also the Message in Writeing as Vizt

Lower house of Assembly November the 5th 1681—

p. 362 This house having taken into Consideration the Message Sent them this Day by the Honourable the Secretary concerning Appeales, and having Considered that Severall Acts in Severall Assemblies have been heretofore made to Regulate & Settle the Same all which as it appears by the said Message having proved ineffectuall though done with the greatest Deliberation and Circumspection, Do conceive that the Entering upon the said Affair and Effecting thereof will take up more time then can well Consist with the Dispatch desired by his Lordship, therefore this house Do humbly desire that the Upper house will be Pleased either to Draw up Such a Law as their Honours shall think Sufficient to redress the said Grievance or referr the Same to Some future Sessions of Assembly

Signed pr Order C Boteler Cl Asst of the Lower house of Assembly

Information being given to this house that the Law for the Two shillings per hhd and other not Temporary Laws being by his Lordship before he went for England included in the Act for Ascertaining what were Laws within this Province, the said Act last Mentioned being brought afterwards into an Act for Revivall Anno 1678: were made Temporary Laws and since not revived, Ordered that the Clerk of this house make inspection thereinto and render an Account thereof to this house, and to that purpose the Secretary is Ordered to Deliver

the Laws ever Since 1676 to the Clerk of this house for his perusall U. H. Journal 1659–98

Adjourn till Monday ten a Clock

November the 7th 1681 Upper house mett

Present

The Right Honourable the Lord Proprietary

The honble { Philip Calvert Esq[r] Chan[r] / Will: Calvert Esq[r] Secretary / Vin[t] Lowe Esq[r] Sur General } { Coll: Thomas Tailler / Coll: William Stevens / Cap[t] William Digges }

A Petition to this house by Major Boarman praying Allowance for Severall Disbursements and also for being Interpreter several years, read in this house and Sent to the Lower house thus Endorsed

Upper house November the 7th 1681.

The Lower house are desired to take this into their Consideration

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly—

Sent to the Lower house p[r] the Secretary who is to take with him Major Boarman and Recommend him to the the Lower house to speak to this Petition

Coll: Lowe and Coll: Tailler go to the Committee

Upper house November the 7th 1681

Whereas this house is informed that there are Divers Discourses held by Diverse Members of the Lower house about the Laws of this Province Endeavouring to wrest some Doubtfull words in Some Acts to this Sense that there are now no perpetuall Acts but that all the Laws of this Province are Temporary; This house do desire a Conference with the Lower house upon this Subject for the Quieting the Minds of the People

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly—

Sent to the Lower house by the Secretary and Captain Digges who are to acquaint the Lower house that if they will appoint a time this house will adjourn to the State house to receive the Conferrence p. 363

The Honourable the Secretary and Captain Digges return with Answer that the Lower house will send their Answer by a Member of their own

A Message from the Lower house p[r] M[r] Gardner and Doct[r] Brooke.

Coll: Darnall Enters the house

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Lower house of Assembly November the 7th 1681

Upon a Message from the Upper house relating to Diverse Discourses held by Members of the Lower house about the Laws of this Province and to a Conference thereupon, this house do say that they are ignorant of any Discourses of that Nature that are held by the Members of this house, or of any Such Consequence as in the said Message is intimated and therefore are not Sensible of the Necessity of any present Conferrence with the Upper house upon that point, unless the Upper house for any other Reasons shall further desire Conferrence which this house is willing to Ioin in

Signed p^r^ Order
p^r^ C Boteler Cl Ass^t^ of the Lower house of Assembly

Upper house November the 7th 1681.

The Upper house insist upon the Desire of a Conference with the Lower house upon the Subject of the Laws in the last Message Mentioned lett the reason be what it will, and the reasons at the Conference shall be Declared and therefore desire the Lower house to Expedite this affair, and lett this house know the time Speedily that they may repair to the State house into the Room the two houses meet in

Signed p^r^ Order p^r^ John LLewellin Cl of Assembly.

Sent to the Lower house by Coll: Darnall and Coll: Stevens—
They return again

A Message from the Lower house p^r^ M^r^ Hynson and M^r^ Frisby

Lower house of Assembly November the 7th 1681

This house have Sent to Call in their Committee in Order to Meet the Upper house so Soon as their Honours please

Signed p^r^ Order C Boteler Cl Ass^t^ of the Lower house of Assembly

Adjourn to the State house

Upper house mett at the State house according to Adjournment

Coll: Lowe and Coll: Tailler also Enter the house

Coll Darnall is Desired to go and acquaint the Lower house that this house is now ready to receive them in Conference

Coll Darnall returns with Answer that he mett them coming up

They Enter the house with their Speaker and Clk

The Chancellor gives them to know that this house had been

informed that the Common Discourse of the Committee that were sett out for Inspecting the Laws the Last Meeting and others Members of the Lower house that there were Noe perpetuall Laws within this Province but all become Temporary, and that by meanes of a Law made 1678 for reviving and Confirming certaine Laws &c: & again revived the last Meeting &ª and accordingly reads to them the Several Acts Mentioned in the said reviving Act, he Desires the Lower House for the Quieting the Minds of the People and for a Rule of Justice to Join with this house in a Declaration that in the said last Mentioned reviving Act the particular parts thereof may be particularly Applyed Vizᵗ The Confirming part to the Confirming of the Act the reviving part to the reviving part &ᵗ U. H. Journal 1659–98 p. 364

The Speaker Declares Neither himself nor any of the house empowered to Answer neither indeed could unless they had the Propositions of this house Transmitted to them in Writing

The Chancellor moves again to have a List of those Laws which were ascertained Anno 1676 to be perpetuall Laws and to be Declared now by both Houses to be perpetuall Laws

They return to their own house

And the Clerk of this house is Ordered to draw out a List of the Laws that were revived

And the house Adjourns again to the Council Chamber

Where they meet and Adjourn till to Morrow Morning

Novemʳ the 8th 1681 Upper house mett

The Right Honourable the Lord Baltimore

The Honourable { Philip Calvert Esqʳ Chancʳ, William Calvert Esqʳ Secretary, Coll: Vincent Lowe } { Coll: Henry Darnall, Coll William Stevens, Capᵗ William Digges }

A Message from the Lower house per Capᵗ Brandt and Captain Trippe being an Act against Ingrossers and Regraters thus Subscribed—

November the 8th 1681 the Lower house have Assented
C Boteler Cl Assistant of the Lower house of Assembly

Read and Voted a Second reading

Read again and passed this house in these Words Vizᵗ

November the 8th 1681 Upper house have Assented
J LLewellin Clk of Assembly

Sent to the Lower house pʳ Coll Tailler, Coll: Lowe and Coll: Darnall who have also with them a List of all the Tem-

U. H. Journal 1659–98

porary Laws of this Province Drawn out by the Clk of this house and Annexed to the following Message of this house Viz[t] and was Desired Should be returned again to this house to be Entered upon the Iournall:

A Message from the Lower house per Captain Henry Smith and Captain Henry Trippe Viz[t]

Lower house of Assembly Nov[r] the 8th 1681.

This house desire the Upper house to make up the Account with M[r] Vansweringen, and in Respect that most of the Tobacco there Expended is said to be Expended by this house, This house do desire that M[r] Vansweringen may Distinguish the Expences of the Upper and Lower houses

Signed p[r] Order C Boteler Cl Ass[t] of the Lower house of Assem[ly]

M[r] Vansweringen is called in and is Ordered to go with his

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Accounts to the Lower House and give them the best Satisfaction he can in what they Desire

Adjourn till to Morrow

November the 9th 1681 Upper house mett

The Right Honourable the Lord Proprietary

The honourable { Philip Calvert Esq[r] Chan[r], William Calvert Esq[r] Sec[ry], Vincent Lowe Esq[r] Sur Gen[l], Coll Thomas Tailler } { Coll: Henry Darnall, Coll: William Stevens, CaptainWilliamDigges }

A Message from the Lower house p[r] M[r] Carvile, M[r] Pierce, M[r] Frisby, and M[r] Garratt, Viz[t] being the List of the Temporary Laws and the Message of this house Sent them Yesterday Viz[t] Temporary Laws.

An Act for the Advancement of Childrens Estates made at S[t] Leonards the 27 April 1658

An Act concerning the height of Fences made at S[t] Iohns the 17th April 1661.

An Act for Conveyance of all Letters concerning the State & publick Affairs made the Same Assembly

An Act concerning Indians made at S[t] Maries the first Day of April Anno 1662

An Act Prohibiting Arrests on the Saboth Days and Days of General Musters & Trainings, made at an Assembly held at S[t] Maries the 15th Day of September 1663 and there Continued till the third Day of October Anno 1664

An Act for Amerciaments in the Provincial and County Courts made the Same Ass[bly]

An Act concerning the Proceedings at Law made the Same Assembly U. H. Journal 1659–98

An Act Prohibiting Trade with the Indians for any flesh Dead or alive Except Deer and wild fowl made April the 10th 1666

An Act Prohibiting Foreign Ingrossers made the Same Assembly

An Act for Limitation of certain Actions for avoiding Suites at Law made at S^{t} Maries the 13th Day of April Anno 1669

An Act for the Providing Sufficient Freight and Carriage for the Proper goods of his Lordship the Lord Proprietary of this Province and of the Governor of this Province for the time being made the Same Assembly

An Act Limiting the Extent of Attachments and Providing what shall be Levyed upon Attachments and Executions made the said Assembly

An Act providing what shall be good Evidence to prove foreign Debts made the Same Assembly

An Act against Hogstealers made at S^{t} Maries the 27th Day of March 1671

An Act providing a Standard with English Weights and Measures in the Severall & Respective Counties within this Province made the Same Assembly

An Act Prohibiting the Importation of all horses, Geldings, Mares, or Colts into this Province made the Same Assembly—

An Act for stay of Executions after April Court Made at S^{t} Maries the 10th of Octo^{r} 1671

An Act for killing of Wolves made the Same Assembly

An Act concerning the Impannelling the grand Inquest in the Several Counties within this Province made at S^{t} Maries the 13th April 1674

An Act for Limiting of Actions ag^{t} the Sur Gen^{l} of this Province made the Same Assembly.

An Act for the Payment of Fees Due from Criminal Persons made the same Assembly p. 366

An Act concerning those Servants that have Bastards made the Same Assembly

An Act against Burners of Fences made the Same Assembly

An Act Prohibiting all Masters of Ships or Vessells or any other Persons from Transporting or Conveying away any Person or Persons out of this Province without Passes made the Same Assembly

An Act Concerning what shall be allowed to the Grand Iuries that are Summoned twice a Year out of the Body of the Province to Attend Prov^{ll} Courts made at S^{t} Maries the 12th february 1674.

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An Act relating to the Seizure of Tobacco by the Sheriffs made at S[t] Maries the 15th Day of May 1676

An Act for the Publication of Marriages made the Same Assembly

An Act relating to Servants and Slaves made the Same Assembly

An Act Touching Coopers and Gauge of Tobacco hhds made the Same Assembly

An Act for easment of the Inhabitants of this Province in Suites at Law for small Debts made the Same Assembly

An Act for the Constables taking the List of Taxables made the Same Assembly.

An Act against the Importation of Convicted persons into this Province made the Same Assembly

An Act for the Securing Creditors made the Same Assembly

An Act for Regulating Ordinaries and Limitting the Number of them within this Province made at S[t] Maries the 20th Day of October 1678

an Act for Election of Sheriffs made the same Assembly

An Act for the better Administration of Iustice in the County Courts in this Province made the same Assembly

An Act for Appeals and Regulating Writts of Error made the same Assembly.

An Act for keeping a Register of Births, Marriages, Burialls, in each respective County made the same Assembly—

An Act Imposing a Penalty on all Such who shall dispose of Tobacco Seized and reced by the Sheriff and others made the Same Assembly

An Act for Reviving and Confirming certain Laws of this Province made the Same Assembly

An Act for Explanation of one Clause in an Act Prohibiting the Importation of all Horses, Mares, Geldings and Colts into this Province with an Addition & Amendment therein Made at S[t] Maries the 10th Day of October Anno 1671

Temporary Laws Implicitly revived by other Laws Viz[t]

An Act for the Appointment of certain Officers made at S[t] Johns the 17 April 1661

An Act for Encouragement of Such Persons as will undertake to Build Water Mills Made at S[t] Maries the 13th Day of April 1669

An Act against Divulgers of false News Made at S[t] Maries the 27[th] March 1671

An Act for Making high Ways and making the heads of Rivers, Creeks, Branches, and Swamps, passable for Horse and foot Made at S[t] Maries the 10[th] October 1671

An Act for the Surveyor Generals fees with Addition of fees

upon Resurveys and for Levying the Same Made at S[t] Maries the 13th of April 1674. U. H. Journal 1659–98

An Act concerning Taxable Persons Made the same Assembly

An Act for Securing Merchants and others Tobacco after they have received it Made at S[t] Maries the 15th Day of May 1676

November the 8th 1681.

The Upper house taking the severall Temporary Laws into their Consideration and finding that the Committee appointed for Drawing the Act for reviving certain Laws within this Province have proceeded carelessly in it. Omitting to Name Diverse Laws; which by the implicite words of the said Law do stand revived and leaving two Laws in force concerning Taxable Persons, and two Laws likewise in force against Hogstealers, and by their Dilatory proceedings putting of the same Law till the very last hours of the Assembly; So that the two houses had no time to Consider the said Act as the weight of the Affair required the Indian Enemy pressing hard upon us and by that Means forced Diverse Members of both Houses to repair to their Military Commands have Caused a List of the Temporary Laws which stand Revived to be made & to this Annext, and do Vote these Laws and no others Laws of this Province contained in the Book of Laws, now fairly Transcribed and not Since the Transcribing repealed with his Lordships Assent, being Perpetuall Laws, So to remain till by the two houses with the Assent of his Lordship under the great Seal they or any of them shall be repealed and ought not to have been inserted in any reviving Law, they never having been repealed nor never made Temporary, and this house desire the Lower house to Join with them in taking away One of the Laws for Taxables, and the first part of the Law against Hogstealers, the two first Offences being now Tryable and Punishable in the County Courts in another Manner than in the said Act against Hogstealers is Provided

Signed p[r] Order p[r] Iohn LLewellin Cl of Assembly.

An Act for reviving and Confirming certain Laws is inserted only for this Reason because thereby are implicitely revived the last Recited Seven Temporary Laws, The said Act being of no other use whatsoever, And therefore it is desired that the said Seven Acts may be included in One Law with the rest of the Temporary Acts. to the End that no farther use may be made of the said last reviving Act,

Signed p[r] Order as above Iohn LLewellin
Cl of Assembly.

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Returned again to the Lower house p^r^ Captain Digges who is to acquaint the Lower house that to Morrow his Lordship hoped to Conclude this Sessions

at the Same time with the above List of Laws was also brought to this house an Act relating to the Land Office and the fees of the Clerk of the Council within this Province

Assented to by the Lower house and Signed as So by the Clerk which was read in this house

A Message from the Lower house by M^r^ Robotham & Doctor Brooks

Lower house of Assembly Nov^r^ the 9th 1681.

This house out of the Due respect to the Matter Recommended to them from his Lordship about the Strengthening the Severall Prisons within This Province and appointing
p. 368 Keepers or Goalers to each of them, Appointed a Committee to Draw up a Bill accordingly who having Sat Several Days and frequent Debates made upon Propositions from them

This house do find it Matter of Such Difficulty that they Desire the Upper house either to prepare the Bill or putt this house in Some Rule thereto, or they pray his Lordship to referr it to the further Consideration of a future Convention

Signed p^r^ Order

p^r^ C Boteler Cl Ass^t^ of the Lower house of Assembly

A Message from the Lower house p^r^ M^r^ Cheseldyne & Francis Billingsley Desiring a Perusall of the Book of Laws and an Answer to the last Bill relating to the Land Office

The Clerk of this house is Ordered to go to the Office and to Deliver them the Book of Laws, and an Answer to the rest of their Message shall be Sent them

A Message from the Lower house p^r^ M^r^ Hatton M^r^ Homewood Cap^t^ Trippe and M^r^ Hinson Viz^t^—

Lower house of Assembly November the 9th 1681—

This house taking into their Serious Consideration the Message of the Upper house Annexed to the list of Temporary Laws and their Vote thereupon Do conceive that this house cannot hastily Concurr with the Upper house in the Said Vote, without making first a Strict enquiry and Search into the Body of Laws by a Committee Appointed to that Purpose Lest the Regulating one Mistake may make many more, which will require Considerable time, and this house having now finished all their other Business and Debates the Act for payment of the Publick Debts almost finished, his Lordship pressing Our Dispatch as well as Our private Affairs, Do pray that this as well as Some other Matters Imperfectly Debated may be

referred to the next Convention of Assembly And in Order thereto do Vote that this house will not take Advantage of any Mistakes or Errors arising and Proceeding from over hasty passing of the former Bills of Revivall, but will Deal Candidly and Honourably with the Upper house according to the True Sense and Meaning of both Houses therein: and that the Severall Laws within this Province may Stand and Remain in force according to the Termination therein Expressed Notwithstanding any Clause in the said Bills of Revivall to the Contrary In Expectation and hopes to have the like fair Dealing from the Upper House, and that the Several Acts made last Sessions of Assembly consented unto by his Lordships Governor then Sitting may stand in full force, and Proclamations or Declarations Notwithstanding and that the Upper house please to send this house their Assent to the Bill relating to the Land Office Signed p^r^ Order

C Boteler Cl Ass^t^ of the Lower house of Assembly

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Adjourn till to Morrow Nine a Clock.

November the 10th 1681 Upper house mett p. 369
Where appeared as yesterday Except Coll: Stevens

Upper house of Assembly November the 10th 1681.

Jn Answer to the Paper of the 9th Instant and the Vote of the Lower house therein Contained Relating to the Temporary Laws, This house do say that as the Liberty of Our Persons and the Property of Our Estates is all that is Dear to us, So we thought that the Laws which Secure those to us were as much worth the Consideration of the two houses as any private Concern whatsoever, and that the Lower house would have immediatly Conferred the List Sent to them from this house with the Act of Revivall in the Assembly begun in October 1678 and Ended the 15th of November following, and the last Act passed the two houses the last meeting of this Assembly which needed no great time, and we hope is now done by the Lower house, and that they will Ioin with us in Our Vote Sent with said List, because we really Believe that according to their Vote of the 9th Instant they meane to Deale Candidly and Honourably with the Upper house as we are Resolved to do by the Lower house, And therefore do likewise Vote that the Upper house will not take Advantage of any Mistakes or Errors arising or proceeding from over hasty passing any of the former Acts for reviving and Confirming certain Laws of this Province This we Say and Vote to lett the Lower house See how ready we are to Comply with them in all things pos-

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sible, but desire them to Consider that Votes of both Houses are no Laws, and that it were Safer by a Short Law to the List of the Temporary Laws to be Added which is easily to be Compared with the Reviving and Confirming Law 1678 and the Latter Law for Reviving 1681 to Settle the liberty and Property of the People which is Some way or other Concerned in those Laws, And to the End the Lower house may See the Constant Resolution of this house is to Deale Candidly and Honourably with the Lower house in all things, they say that as his Lord:ship has by his Proclamation under his great Seal Dissented to the Act Directing the Manner of Electing Delegates and Representatives to Serve in Succeeding Assemblys, it is not Possible for any Votes of both houses to make that a Law again without his Lordships Assent nor regular to do it but by bringing in the Bill anew to be thrice read in each of the houses of Assembly in Order to getting his Lordships Assent

As to the Bill relating to the Land Office it hath had one reading and is Voted a Second in this house so that we shall speedily let the Lower house know our Resolution in that Bill

And Whereas his Lordship Dissented to the Repeale of the Lawe of Transporting his Arms Ammunition &t as the first part of that Law is that only which is Necessary to be Continued even for Safety to the People So we shall be ready to Ioin with the Lower house in Desireing of his Lordship the Repeale of the latter part of it and doubt not of his Lordships Assent thereunto

A Message from the Lower house by Coll: Burgess, Capt
p. 370 Thomas Smith Mr Ioseph Wicks, and Mr Kenelme Cheseldyne (Vizt)

Lower house of Assembly November the 10th 1681

This house desire to know whether his Lordship will please to appoint this Day to be the Day of Sessions of this Assembly that this house may finish the Act for payment of the Publick Charge of this Province and do also pray the Upper house to send their Assent to the Bill relating to the Land Office

Signed pr Order C Boteler Cl Asst of the Lower house of Assembly

Whereupon was Added to the foregoing Vote of this house these Words

For Answer to the last Message of the Lower house this Day if the Lower house shall not think fitt to Concurr with this house in Drawing up a Short Act for the Temporary Laws as above is Desired, his Lordship intends this Day for Day of

Sessions and shall not be able to give any further Answer to the Bill relating to the Land Office U. H. Journal 1659–98

Signed p^r^ Order p^r^ J LLewellin Cl of Assembly—

Sent to the Lower house by Coll: Darnall & he returns again to this house

A Petition preferred to this house by Garratt Vansweringen for further Allowances being cutt of great part of his Account thus Endorsed Viz^t^

Upper house November the 10th 1681

This Petition is Recommended to the further Consideration of the Lower house, this house Judging it no ways honourable for a whole Country to receive a Mans goods and then Allow him what Rates they Please but do rather conceive it a fairer way first to Contract for the Rates or have them Settled by Order of both houses at first Meeting, So to be at a Certainty, then to make Such Defalcations at last without Consideration had to the Difference in Quality of Commodities Besides the Petitioner is no Ordinary keeper and may Sett what Rates he pleases upon his goods as Merchants use to Do

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

A Message from the Lower house p^r^ M^r^ Hosier, Captain Trippe, Cap^t^ Waterton, and M^r^ Garratt Viz^t^

Lower house of Assembly Nov^r^ the 10th 1681

This house taking into their Consideration the last Message from the Upper house of the 10th Instant, as it stands in Relation to the Conference on the Eighth Instant and the Message of the Upper house and Our Answer thereon, on the 9th, Do say that this house had in Complyance with the Upper house Appointed a Committee to Compare the List of Temporary Laws Sent from the Upper house with the former Acts Ascertaining and Revivall of Laws, and to that End sent for the Book of Laws Yesterday and had Answer it should be Sent Presently, Sent another Message in the afternoon and had Answer the Clerk should bring it, upon which we waited till towards Night, and then seeing the Day spent the Book not brought, and Intimation given by Captain Digges that his Lordship intended this Day for the Day of Sessions made this house without reflecting the Delay resolve upon the Vote Sent yesterday which they conceive fully Answered the desires of the Upper house Expressed in the Conference and very little Short of what is Recommended in the Message Annexed to the List unless concurring in the Vote (that all other Laws of this Province contained in the Book of Laws &c^a^ should p. 371

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remaine perpetuall Laws &c: which could not be reasonably Expected without a Deliberate Inspection of the said Book.

This house do further Say in Answer to the Present Message that this house cannot Comprehend why the Upper house presses the Matter of it under the great Considerations that the Endearedness of the Liberty and Property Depends upon it Since in the worst Sense there is the Same Security that hath been any time this three years and according to the Explanation made by Our Vote, the same that hath always been in this Province, We humbly hope that these and Such like words in Some other Messages this Sitting will not become Specious Matter for future Declarations

As to the Drawing up an Act, if his Lordship will Command the Longer Stay of this Assembly the Committee shall proceed, but are in hopes that his Lordship and Upper house will accept Our Candid Intentions & true meaning in Our last Vote and referr the Drawing of the Bill till a future Convention as to the Bill for the Land Office We Offer it as a proper Remedy unto a Certain Grievance, and make that Our only Argument to Incline his Lordship & your Honours to Assent to it—

Signed p^r^ Order of the Lower house
C Boteler Cl Assistant of the Lower house of Assembly

Upper house November the 10th 1681.

The Bill relating to the Temporary Laws of this Province often urged and Recommended to the Consideration of the Lower house being a Matter of So great Consequence as hath been Intimated, This house have prevailed with his Lordship to Delay the Sessions till to Morrow, giving time to Compare the Several Temporary Laws with the two last Reviving and Confirming Laws in Order to prepare an Act for the Same, and therefore this house do Appoint Coll: Darnall and Coll: Stevens Members of this house to Join with Some of the Members of the Lower house in a Comittee for that purpose and that the Cl of this house shall be ready to Assist them therein

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Sent to the Lower house p^r^ Coll: Darnall and Coll: Stevens who have in Charge also to acquaint the Lower house that they being appointed to Join with their Committee are ready so to do and that the Clerk of this house is ready to give his Attendance

Instructions for the Committee how to proceed

Qu: An Act for repeale of certain Laws and also for Ascertaining what Laws are of force within this Province made 1676

Inde Inspect the Act for Reviving and Confirming certain Laws within this Province Anno 1678— U. H. Journal 1659–98

Inde Proceed to the last Reviving Act Anno 1681

Out of all which Collect carefully the Temporary Laws within the Province p. 372

Ordered that the Book of Laws be Delivered to the Clerk of this house

A Message from the Lower house by Mr Carvile, Mr Rousby, Mr Smith, and Captain Hill—

November the 10th 1681

This house have appointed, Mr Carvile, Mr Rousby, Captain Smith and Captain Hill, to Join with Coll Darnall and Coll: Stevens for the Drawing up the Law for the Temporary Laws of this Province

Signed pr Order C Boteler Cl Assistant of the Lower house

They also bring with them Garrat Vansweringens Petition thus Endorsed

Lower house November the 10th 1681

Upon Consideration had of this Petition and the Upper houses Vote thereupon Endorsed think not fitt to make the Petitioner any further Allowance then in the Act for Assessing the publick Charge to him Allowed which is thirteen thousand four hundred and Seventy Pounds of Tobacco having already made Allowance upon Mature Consideration

Signed pr Order pr C Boteler Cl Asst of the Lower house of Assembly.

Adjourn till to Morrow

Upper house mett as yesterday—

A Message from the Lower house pr Mr Cheseldyne and Mr Sibrey being an Act for payment of the Publick Charges of this Province Assented to by the Lower house thus

November the 11th 1681 The Lower house have Assented
C Boteler Cl Asst of the Lower house of Assembly.

They also desire the Assent of this house to the Bill relating to the Land Office

an Answer is to be sent them

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Upper house November the 11th 1681.

Ordered by this house that Mr Clockers house be appointed for Reception and Entertainment of the Grand Juries and that the same be duely Observed any other Company Whatsoever (Excepting the Delegates and Members of the Lower house) Notwithstanding

Signed pr Order pr John LLewellin Cl of Assembly—

Coll: Darnall is desired to go to the Lower house and know of them whether they have any Bills ready to present to this house and that they would Expedite the Same, an Answer to their Bill relating to the Land Office shall be given them together with the rest of their Bills passed their house this Sessions

Coll: Darnall returns and Signifies to this house that they are preparing the Bills but hope they may be no Impediment to the Bill for the land Office which has layn So long in this house

A Message from the Lower house by Mr Carvile, Coll: Wills, Clement Hill and Mr Ennals, being Severall Laws Vizt

An Act for reviving the Temporary Laws of this Province—

An Act for Repeale of Certain Laws

p. 373 A Supplementary Act to the Act for Limitation of Officers fees.

Mr Hill from the Lower house desires to know whether they may Expect an Answer from this house to Night

Vote this house will Send them an Answere

The Severall Acts reced pr Mr Carvile &a read once in this house

And Houses Adjourn till to Morrow

November the 12th 1681

Upper house mett all present as yesterday Save the Lord Proprietary

The Law for payment of the Publick Charge
The Law for revivall of the Temporary Laws &c.
both read the Second time & passed this house in these words Vizt

November the 12th 1681 Upper house have Assented
John LLewellin Cl of Assembly

The Act relating to the Land Office thus passed Vizt

November the 12th 1681 Upper house have Assented
John LLewellin Cl of Assembly

An Act for the Repeale of certain Laws also passed U. H. Journal 1659–98

November the 12th 1681 Upper house have Assented
John LLewellin Cl of Assembly

Sent to the Lower house who are desired to Expedite their Business by one a Clock at what time his Lordship will be ready to receive them and also to Demand of them the Supplementary Act to the Acts for Limitation of Officers fees that the Same may be read in this house to pass their Assent

Upper house November the 12th 1681

This house upon Application to them made by Mr Iacob Leslier (by whom was presented) to both houses the last Sessions of Assembly a Petition Do desire the Lower house with whom the Petition was Lodged, to make enquiry for and take the Same afresh into their Consideration the Petitioner himself being now present and ready to Satisfy both houses in what may be proposed unto him

Signed pr Order pr J LLewellin Cl of Assembly

The same Delivered to Mr Leslier and Coll: Darnall Desired to go with him to the Lower house of Assembly

A Message from the Lower house by Capt Brandt, and Capt Trippe being a Supplementary Act to the Acts for Limitation of Officers fees passed the Lower house Vizt

November the 12th 1681

The Lower house have Assented C Boteler Cl Asst of the Lower house of Assembly.

The Same read in this house, also this following Message Vizt

Lower house of Assembly November the 11th 1681.

This house do Vote that 15 pr Cent and no more be Allowed in this Province for any Damages for Bills of Exchange returned Protested into this Province from England or any other Part of Europe & here Sued with Costs of Suit

And that the Concurrence of the Upper house be Desired thereto, and that this Vote may be Recorded in the Iournal of both houses to Direct the Courts of Iustice herein for the future p. 374

Signed pr Order C Boteler Cl Asst of the Lower house of Assembly.

Whereupon Voted in this house & Endorsed upon the Message above Vizt

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Upper house November the 12th 1681

In Answer to the within Vote of the Lower house this house do say that a Bare Vote of both houses can no wise be Coercive for any Court of Justice to Proceed upon unless passed into an Act which this house conceives the time now will not permitt and Consequently a Concurrence to the Same altogether needless Desire the Same may be referred to the Consideration of a future Convention

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly

A Petition preferred by Samuel Holdsworth for passing a Bill in his favour tendered last Meeting read and the Bill passed thus Viz^t^

November the 12th 1681 Upper house have Assented
John LLewellin Cl of Assembly

The Supplementary Act also passed Viz^t^

November the 12th 1681 Upper house have Assented
John LLewellin Cl of Assembly.

An Act relating to the Land Office also passed in these words—

November the 12th 1681 Upper house have Assented.
John LLewellin Cl of Assembly

The last two Mentioned Laws and the Answer of this house to their Vote Sent p^r^ Cap^t^ Digges, who is to acquaint them that this house have adjourned till one a Clock at what time they will be ready to receive their Bills in Order to Conclude this Sessions

Adjourn till one a Clock

Upper house again mett according to Adjournment

Present as before and the Lord Proprietary—

Coll: Tailler Ordered to go and acquaint the Lower house that this house is now Sitting

A Message from the Lower house comes to acquaint this house that the Petition of M^r^ Leslier being a Dark Ambiguous thing to them they Desire Conference with this house thereupon as being best acquainted with the true State thereof

Adjourn to the State house
Where mett accordingly

Coll: Darnall is Ordered to go and acquaint the Lower house that this house is now ready to Conferr with them U. H. Journal 1659–98

The Speaker and Members of the Lower house Enter this house

Proposed by this house the Allowance of Twenty thousand pounds of Tobacco to be made the Petitioner

They will go and Consider thereof

Adjourn to the Councill Chamber

Upper house mett at Council Chamber

A Message from the Lower house p^r^ Coll Wells and M^r^ Gardner, being an Act for relief of Iacob Leslier of new York Merchant, Assented to by the Lower house and Signed as So by their Clerk p. 375

The Same passed this house also thus

November the 12th 1681 Upper house have Assented.
John LLewellin Cl of Assembly.

A Message from the Lower house p^r^ M^r^ Carvile and Coll: Wells being

An Act for Confirming the Temporary Laws

An Act for repeale of certain Laws

An Act Supplementary to the Act for Limitation of Officers fees

all Assented to by their house and Signed by their Clerk, they are all returned again to the Lower house p^r^ Cap^t^ Digges

Adjourn to the State house

Where being mett Notice sent p^r^ Coll: Darnall to the Lower house that this house now waits there Coming to Conclude this Meeting

The Lower house with their Speaker and Clerk enter this house they tender for his Lordships Assent the following Laws Viz^t^

An Act in favour of Holdsworth

An Act for relief of Iacob Leslier

A Supplementary Act to the Acts for Limitation of Officers fees

An Act against Ingrossers and Regraters

An Act for the payment of the Publick Charges

An Act for Repeale of Certain Laws

An Act for reviving the Temporary Laws of this Province

An Act Relating to the Land Office and the fees of the Clerk of the Councill within this Province his Lordship having Ordered the Same to be read intimates to the Lower

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house that he cannot reasonably impose upon the Secretary the Entering of Certificates &c: according to the Tenour of the Act within the time Limitted by reason of Conditional Warrants often Granted but for the Rational Clause relating to the Clerk of the Council he shall for the future be Contented with a fee of five Shillings or one hundred pounds of Tobacco for a Petition &t as is Expressed in the Bill and no more, the rest of the Laws were Assented to by his Lordship thus

We will these to be Laws C: Baltimore

They passed the Seal thus Subscribed—

Passed under the great Seal of this Province 12th November 1681.

Philip Calvert Chancellor.

His Lordship proceeds to lett the Lower house know that the payment of the Souldiers which are now Allowed in this Act. was his Motive for Calling this Assembly—

And Prorogued the same till the last Tuesday in April next.

pr John LLewellin Cl of Assembly—

Memorandum Mr Robert Carvile according to an Order of the Upper house the 5th November came and Entered his

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Assent to Severall Writts of Error wherein he is Attorney in manner following Vizt

In Obedience to an Order of the Upper house of Assembly bearing Date the 5th Day of November Instant relating to Errors and the Severall Writts of Error there Depending, I Robert Carvile Attorney in these Severall Causes following, Do Enter my Consent to Submitt the Determination of the said Causes upon the Writts of Error aforesaid upon the whole Merits of the said Several Causes Waving all formalities not being against the Right of the Matter of the Suite to the Judgment of the Honourable the Upper house of Assembly—

Trueman Plt—Haggleton Deft Ro: Carvile Atty pr Deft

Stapleford plt Causine Deft Ro: Carvile Atty pr Quer.

Lynes plt Hardy Lessee Deft Ro: Carvile Atty pr Quer.

Slye—plt Blagge—Defendt Ro: Carvile Att. pr Deft

Godfrey plt Lemaire Deft Ro: Carvile Att. pr Deft

Stockett plt Peca—Deft—Ro: Carvile Att pr Deft

Vansweringen plt Willams Deft—Rob: Carvile Att: pr Deft

28th November 1681—

Liber W. H. p. 185

Charles absolute Lord & Propry of the Province of Maryland & Avalon Lord Barron of Baltemore &c. To the Sherriffe of Ann-Arrundell County Greeting, by the advice & Consent of the ffreemen of our said Province of

Maryland, & of theire deputys & delegates in a Certaine Assembly held att S[t] Marys the seauenteenth day of September last past & adjourned vntill the ffirst day of Novemb[r] following, Wee haue made & enacted seuerall Laws (viz[t]) Liber W. H.

An act for Reviveing the Temporar[y] Laws of this province./

Bee itt enacted by the Right Honourable the Lord Prop[ry] by & with the advice & Consent of the vpper & Lower houses of this p[r]sent Gen[ll] Assembly & the authority of the same, that one Act made att a Gen[ll] Assembly held att S[t] Johns the 17[th] day of Aprill one Thousand six hundred sixty & one, Entituled an Act for appointm[t] of Certaine offic[rs] (excepting the Latter Clause thereof relateing to Sherriffes which is not to bee revived) one other Act made the same Assembly entituled an act Concerning the Heith of ffences, one other Act made the same Assembly, entituled an Act for Conveyance of all Letters Concerning the state & publicke affaires, one other Act made att a Gen[ll] Assembly held att S[t] Marys the ffirst day of Aprill one Thousand six Hundred sixty & Two, entituled an act Concerning Jndians, one other Act made att a Gen[ll] Assembly held att S[t] Marys the ffifteenth day of Septemb[r] one Thousand six hundred sixty & Three, there Continued till the Third day of octob[r] ffollowing & from thence adjourned till the Second Tuesday in Septemb[r] one Thousand six hundred sixty & ffour entituled an act prohibiting arrests vpon the Sabboth dayes & days of Gen[ll] Musters, & Trainings, one other Act made the same Assembly entituled an Act for Amerciam[ts] in the Prov[ll] & County Courts, one other act made the same Assembly, entituled an act Concerning proceedings att Law (excepting one Clause in the Latter end thereof viz[t] soe farr as the Court shall Judge them not inconsistant with the Condic$\bar{o}$n of the Province (which is not to bee Revived, one other act made the same Assembly entituled an Act ag[t] the exportacon of Wooll & old Iron, one Act made att a Gen[ll] Assembly held att S[t] Marys the Tenth day of Aprill one Thousand Six hundred sixty & six, entituled an Act prohibiting Trade with Indians for any flesh dead or aliue except deere or Wild fowle, one other Act made the same Assembly, entituled an act prohibiting fforreigne Ingross[rs] one Act made att a Gen[ll] Assembly held att S[t] Marys the Thirteenth day of Aprill, one Thousand six hundred sixty & nine, entituled an Act for Limitac$\bar{o}$n of Certaine acc$\bar{o}$ns for auoideing suites att Law, one other Act made att the same Assembly, entituled an Act for the provideing of sufficient freight & Carriage for the proper goods & Com̄oditys of his Lordspp the Lord Prop[ry] of this Province, & p. 186

Liber W. H. the Governo^{r} of this Province for the time being, one other Act made the same Assembly, entituled an act Limiting the extent of Attachm^{ts} & provideing what shall bee Leavied vpon Attachm^{ts} & execucōns, one other Act made the same Assembly, entituled an act provideing what shall bee good euidence to prove fforeigne debts, one Act made att a Gen^{ll} Assembly held att S^{t} Marys the Seauen & Twentieth day of March one Thousand Six hundred Seauenty & one, entituled an Act ag^{t} divulg^{rs} of false News, one other Act made the same Assembly, entituled an act ag^{t} Hoggstealers, one other Act made the same Assembly entituled an act for the provideing a Standard wth English weights & measures, in the seuerall & Respectiue Countys within this Province, one other Act made the same Assembly, entituled an act prohibiting the Importacōn of all horses, Geldings, Mares, or Colts, into this Province, one act made att a Gen^{ll} Assembly held att S^{t} Marys the Tenth day of octob^{r} one Thousand six hundred seauenty & one, entituled an Act for explanacon of one Clause, entituled an Act prohibiting the Importacōn of all horses Mares Geldings & Colts into this Province with an Addiccōn & Amendm^{t} therein, one other Act made the same Assembly entituled an Act for markeing High ways and makeing the Heads of Riuers Creekes branches & Swamps passable for Horse & ffoote, one other Act made the same Assembly entituled an Act for stay of Execucōns after Aprill Court, one Act made att a Gen^{ll} Assembly held att S^{t} Marys the Thirteenth day of Aprill one Thousand six hundred seauenty & ffour, entituled
p. 187 an Act Concerning the Impanelling the Grand Inquest, in the seuerall Countys within this Province, one other Act made the same Assembly, entituled an act for the Surveyo^{r} Gen^{lls} ffees with Addicōn of ffees vpon Resurveys & for Leavying the same, one other Act made the same Assembly, entituled an Act for the paym^{t} of ffees due from Criminall persons, one other Act made the same Assembly, entituled an Act for Limiting accōns ag^{t} the Surveyo^{r} Gen^{ll} of this Province, one other Act made the same Assembly entituled an Act Concerning those Serv^{ts} that haue Bastards one other Act made the same Assembly entituled an act ag^{t} burners of ffences, one other Act made the same Assembly entituled an Act Prohibiting all Mast^{rs} of Shipps or vessells or any other persons from Transporting or Carrying away any person or psons out of this Province without passes, one Act made att a Gen^{ll} Assembly held att S^{t} Marys the Twelfth day of ffeb^{ry} one Thousand Six hundred Seauenty & ffour, entituled an Act Concerning what shall bee allowed to the Grand jurys that are sum̄oned Twice a yeare out of the body of the Province to attend Prov^{ll} Courts, one other Act made att a Gen^{ll} Assembly held att S^{t} Marys the

ffifteenth day of May one Thousand six hundred seaventy & Six, entituled an Act for secureing Merchants & others Tobacco after they haue Reced itt, one other act made the same Assembly entituled an Act Relateing to the Seizure of Tobacco by the Sherriffe, one other Act made the same Assembly entituled an act for the Publicacōn of Marriages, one other Act made the same Assembly entituled an Act Relateing to Servts & Slaues, one other Act made the same Assembly entituled an Act Touching Coopers & the gage of Tobacco Hoggshdd, one other act made the same Assembly entituled an act for easemts of the Inhabitants of this Province, in Suites att Law for small debts, one other Act made the same Assembly, entituled an act for the Constables takeing the List of the Taxables, one other Act made the same Assembly entituled an act agt the Importacōn of Convicted persons into this Province, one other Act made the same Assembly entituled an act for secureing Creditors one Act made att a Genll Assembly held att St Marys the Twentieth day of Octobr one Thousand Six hundred Seauenty & Eight entituled an Act for Regulateing ordinarys and Limiting the number of them within this Province, one other act made the same Assembly, entituled an Act for eleccon of Sherriffes one other Act made the same Assembly, entituled an Act for the better Admstracōn of Justice in the County Courts of this Province, one other Act made the same Assembly entituled an Act for Appeales & Regulateing writts of Errour one other act made the same Assembly, entituled an Act for keeping a Register of Births Marriages & burialls in each Respectiue County, one other Act made the same Assembly entituled an act Imposeing a penalty on all such who shall dispose of Tobacco seized or Receiued by the Sherriffe and others The same Acts & euery of them bee & are heereby Reviued & Continued to stand in full force & vertue, for & dureing the Terme of Three yeares or to the end of the next Sessions of Assembly, wch shall ffirst happen./ Liber W. H.

An act for the Repeale of certaine Laws. p. 188

Bee itt enacted by the Right Honourable the Lord Propry by & with the advice & Consent of the vpper & Lower houses of this prsent Genll Assembly & the Authority of the same, that one act made att a Genll Assembly begunn & held att the Citty of St Marys the Twentieth day of October one Thousand Six hundred seauenty & Eight entituled an Act for Reviveing & Confirmeing of Certaine Laws wthin this Province, And one other act made this prsent sessions of Assembly entituled an Act for Reviveing Certaine Laws within this Province bee & foreuer heereafter stand Repealed./

Liber W. H.

An act for paym^{t} & assessm^{t} of the publicke charge of this province./

Whereas there hath beene Two hundred Twenty Three Thousand ffour hundred fforty Three pds of Tob laid out & disbursed by the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly, & by seuerall other the good people of this Province, for the Publicke good of the same, & to the intent the same may bee satisfied & paid to those psons to whom the same is due, Bee itt therefore enacted by the Right Honourable the L^{d} Prop^{ry} by & with the advice & Consent of the vpp^{r} & Lower houses of this Present Gen^{ll} Assembly & the authority of the same, that the said sume of Two hundred Twenty Three Thousand ffour hundred fforty Three pds of Tob, to bee paid in manner & forme as is heereafter expressed, that is to say, to Tho: ffrancis ffiue hundred sixty ffour pds of Tob, to Edw^{d} Dorsey Three hundred & ninety pds of Tob, to Rob^{t} Porter Three hundred & Three pds of Tob, to Anth: Holland Three hundred & Three pds of Tob, to Geo: Yate, to John Grasham, to ffardinando Battee, to Richard Bedworth, to Abra: Birkhead, to John Spencer, to Mathew Hewes to Dan^{ll} Edge, to Augustin Skinner & to Nich: Grasse each of them Two hundred & sixty pds of Tob, to Edw^{d} Selby, to John Watkins, to John Huske to James Pascall, & to Rich^{d} Gott each Two hundred & sixty pds of Tob, to John Walters ffour hundred & nine pds of Tob, to Sam^{ll} Howard one hundred & Twenty pds of Tob, to Thomas Lightfoote one hundred & Twenty pds of Tob, to And: Roberts, & Rob^{t} Clerkson each one hundred pds of Tob, to Geo: Holland & W^{m} Horne each Two hundred & Twenty pds of Tob, to Phi: Howard ffiue hundred pds of Tob, to Rich^{d} Beard Jun^{r} Six hundred & ninety pds of Tob, to John Gater ffiue hundred Eighty ffiue pds of Tob, to Walter Phelpes Six hundred Ninety nine pds of Tob, to Gabriell Parrett one hundred sixty seauen pds of Tob, to Cap^{t} Nich: Gassaway ffour hundred Thirty ffour pds of Tob, to John Cross, to Rob^{t} Ward, to ffra: Watts, to Edm^{d} Towall to Tho: Beston to Tho: Hebbard, to W^{m} White, to James Machell, to Horton House, to Geo: Hugg, to W^{m} Ramsey, to Ja: Cooke, to Tho: Sutton, & to Nich: Jacob each one hundred & Thirty pds of Tob, to John Greene, to John Browne, to John Maryton to Ja: Henly, to Hen: Kettlewell, to Jn^{o} ffrisell, to W^{m} Chandler, to Tho: Bowles, to Gilb^{rt} Attwood, to Jn^{o} Davis to Rob^{t} Sidebottome, to Cha: Whitehead, to Elias Browne, to M^{r} Nathan^{ll} Heathcoate, to Rob^{t} Piles, to Jn^{o} Thurstone, to Rob^{t} Davis, to Rich^{d} Nicholson &
p. 189 to Timothy Thorne each one hundred & Thirty pds of Tob, to Chr: Chott one hundred seauenty ffour pds of Tob, to Tho: Beston, to Marke Richardson & to Tho: ffeild each Thirty pds of Tob, to Geo: Bradbourne, & Steph: Poole each Sixty pds of

Tob, to Tho: Morgan Three hundred pds of Tob, to John Gale, Liber W. H.
& Ben: Coxell each one hundred & sixty pds of Tob, to Tho:
Porter to Geo: Lee, to Rog^r^ Stoute, to Rich^d^ Hide, to Hen:
Clerke, to W^m^ ffarmer, to John fflood, to owen Bradley, to
Leon^d^ Coate, & to James Mackabee each one hundred &
Twenty pds of Tob, to John Deavour, & Rich^d^ Tucker each
Sixty pds of Tob, to Rich^d^ James Sixty pds of Tob, to Tho:
Simons, to Anth: Congo & to John Henloue each one hundred
pds of Tob, to Geo: Impey one hundred & Twenty pds of Tob,
to John Thornebury Sixty pds of Tob to Robert Harte one
hundred pds of Tob, to Tho: Leo^d^ Sixty pds of Tob, to Tho
Tignall, to Mathew Axon, to Sam^ll^ Beniger, each one hundred
and Twenty pds of Tob, to Rob^t^ Smith Sixty pds of Tob, to
Tho: Bayley one hundred & Twenty pds of Tob, to Jos: Nailor
fforty pds of Tob, to Joseph Rider, to W^m^ Isemonger & to
Tho: Maycocke each one hundred & Twenty pds of Tob, to
John Roby one hundred pds of Tob, to Jn^o^ Christian one Hun-
dred pds of Tob, to Arthur Scriuen Sixty pds of Tob, to Rob^t^
Conant Eighty pds of Tob, to Rob^t^ Wood one Hundred pds of
Tob, to Adam Shiply one Thousand & ffifty pds of Tob, to
Ignatius Causeene Six hundred & Sixty pds of Tob, to Hen:
Adams Eight hundred & Eighty pds of Tob, to Alex: Smith
Six hundred pds of Tob, to Eliano^r^ Beane Eight hundred pds
of Tob, to W^m^ Barton Eight hundred pds of Tob, to Tho:
Marshall Nine hundred pds of Tob, to Phillipp Lynes one
Hundred pds of Tob, to Tho: Hussey one Hundred & Twenty
pds of Tob to ffra: Wyne Eighty ffiue pds of Tob, to Edw^d^
Nibbs fforty pds of Tob, to Tho: Marshall Twenty pds of Tob,
to Geo: Hodgeon Twenty pds of Tob, to Geo: ffewtrell, to W^m^
Penn, & to John Pembroke each one hundred & fforty pds of
Tob, to John Brookes Thirty pds of Tob, to Cap^t^ Rand: Brandt
ffour Thousand Nine hundred ninety Two pds of Tob, to Jn^o^
Reddish Two Thousand Eight hundred pds of Tob, to Robert
Middleton ffifteene hundred seauenty ffiue pds of Tob to Rob^t^
Middleton more one Thousand & ffifty pds of Tob, to Tho:
Shuttleworth ffourteene hundred pds of Tob, to W^m^ Williams
to John Godshall, to Rob^t^ Thompson, & to John Wood each
Twelue Hundred Twenty ffiue pds of Tob, to Mich: Simands,
to Ja: Wheeler, to W^m^ Theobalds, to W^m^ Wells, to Geo:
Groves to ffra: Harrison, to Edw^d^ ffrawnes, to Cornel: Mattox,
to John Lambert to W^m^ Newman, to Tho: Hussey, & to Hen:
Newcastle each one Thousand & ffifty pds of Tob, to John
Lamarr one Thousand ffiue hundred pds of Tob, to John
Newby Nine Hundred pds of Tob, to W^m^ Hatch, to Elion^r^
Bane, to W^m^ Hatton, to Lawrence young, to ffra: Chumney, to
John Barker to John Chumney, to ffra: Sheffeild, to Anth. Beale,
to Tho: Dauis, to Ja: Delahay, & to W^m^ Ward each one

Liber W. H. Thousand & ffifty pds of Tob, to Tho: Elder Six hundred pds of Tob, to Rich[d] Price seauen hundred & ffifty pds of Tob, to Rich[d] Harrison, to W[m] Tayler, to Phi: Lynes, to John Gourly, to Alex: Standish, to Humph: Jones, to Edw[d] Abbot to Jos. Maning, to Rich[d] New, to Adam Boucher, to Math: Dike, to Ralph Bartlett, to Rob[t] Potts, to Lewis Jones, to Math: Herman, to Nich: Cooper to Rich[d] Hodgson, to John Hawkins, to Jn[o]
p. 190 Smallwood, to Alex: Smith, to Tho: Hargeness, to Tho: Claxton, to Jos: Woolfe, to Kenelm Mackloughlin, to ffra: Goodricke, to Rob[t] Goodricke, each the sume of one Thousand & ffifty pds of Tob, to Rich[d] Newton, to Chr: Morrell, to John Cornish, & to Hen: Norrice each the sume of Seauen Hundred & ffifty pds. of Tob, to Rich[d] Clouter one hundred & ffifty pds of Tob, to Phi: Mason, to Geo: Leeke, & to W[m] Newman each Three hundred pds of Tob, to Geo: Geust one Thousand & ffifty pds of Tob, to Ralph Bartlett Two hundred & ffifty pds of Tob, to Geo: Guest one Thousand pds of Tob, to Ja: Smallwood ffour Hundred pds of Tob, to Cap[t] Will[m] Barton ffour hundred pds of Tob, to Hugh Thomas Three Hundred pds of Tob, to John Wilder one Hundred & Sixty pds of Tob, to Jn[o] Browne, to Ja: Gilbert, to Tho: Langley, to John Wright, to John Powell, to W[m] Harbert, to Ja: Baxter, to John Eastwood, to W[m] Nicholls, to Robert Harrison, to W[m] Barton, to Chr: Kerkley, to Rob[t] Glew, to Geo: Cuningham to John Salter, & to Geo: Turner each one hundred & Twenty pds of Tob, to Mich: Ashford, ffiue hundred & Sixty pds of Tob, to Ja: Smallwood ffour hundred & Eighty pds of Tob, to Marke Lampton, & to Jn[o] Charles each Three Hundred & Twenty pds of Tob, to Jn[o] Miller, to Jn[o] Reynes & to Tho: Dickenson each Three hundred & Twenty pds of Tob, to Geo: Lette to Humph: Edwards, to Ja: Turner, to Nich: Bayley, to Phi: Mason, to Steph: Mankin, to Chr: Morrell, to W[m] Roberts, to Jn[o] Harper, to Ralph Shawe, to Jos: Hingell, to Hen: Ball, to W[m] Pew, to Jonas Harrow, & to Cha: Charleton each the sum̃e of Two Hundred & fforty pds of Tob, to Evan Hewes, to Peter Williams each Two hundred & fforty pds of Tob, to Hen: Roberts to Jn[o] Edmonds, & to Jos: Tomkins each one hundred & ffifty pds of Tob, to Hen: Aspinall Seaven hundred sixty ffiue pds of Tob, to John Grey ffiue hundred Thirty Six pds of Tob, to W[m] Smith ffour hundred & sixty pds of Tob, to Geo: Anthey, to Ja: Phinley, & to Geo: Miller each Three hundred & six pds of Tob, to Jno[o] ffrancis to W[m] Bishopp, to Isaac Hall, to Mich: Phillbutt, to Geo: Delahay, to Peter Kellis, to Rob[t] Terry, to Tho: Deuerell, to Rich[d] Wakefeild, to Geo: Lingan, to Edw[d] Crouch, to Geo: Barton, to Hen: Browne, to Sam[ll] Preslish, to Abra: Rodgers, to John Clerke, to Ja:

Smooth, to W^m^ Davis to Edw^d^ ffoord, to Tho: Powler, to Rich^d^ Vaughan, & to John Muckshawe each Two hundred & Thirty pds of Tob, to Cap^t^ Humph: Warren Three hundred & sixty pds of Tob, to Hen: Hardy Two hundred ffifty six pds of Tob, to John Beane Two hundred & Twenty pds of Tob, to W^m^ Browne one hundred fforty Six pds of Tob, to Robert the drumer one hundred fforty Six pds of Tob, to Ja: Larremore, to Dan^ll^ Jenkins, to W^m^ Lawes to Dan^ll^ ffrench, to W^m^ Hungerford, to John Small, to Steph: Clarke, to John Tilbey to Rich^d^ Smith, to Hen: ffrancklin, to Hen: Norrice, to Isaac Watkins, to W^m^ Compton, to Rob^t^ Mason, to Edw^d^ Smole to W^m^ Newman, to John Gibbs, & to John Dramodene each one hundred & Tenn pds of Tob, to ffra: Horton, to Hugh Wileing, to Rand: Davenporte, to John Whitehead, to Ja: Simons, to Tho: Bright, to W^m^ ffillmore, to Steph: Jones to Steph: Norrice, to John Chereld, to John Starey, & to Jn^o^ Wilkenson, each ffour hundred pds of Tob, to John Wilder ffiue hundred & Thirty pds of Tob, to W^m^ Randford, to Jn^o^ Browne, to Geo: Turner, To Robert Glew, to Geo: Cuningham, & to W^m^ Billey each ffour hundred pds of Tob, to W^m^ Smole one hundred fforty six pds of Tob, to W^m^ Browne ffiue hundred & Thirty pds of Tob, to Majo^r^ John Wheeler Twelve hundred pds of Tob, to Rich^d^ Norrice ffiue hundred & sixty pds of Tob, to ffra: Everitt, Three hundred & Twenty pds of Tob, to Mathew Sanders, & to Tho: Killburne each Three hundred & Twenty pds of Tob, to Martin Weech, to Tho: Elder, to David Weekes, to Geo: Wright, to Tho: Browne, to Morrice Evans, to Jos: Grey, to Tho: Riggs, to W^m^ Sonley, to Rice Wenmane, to Jn^o^ Calledge to W^m^ ffrost, to Jn^o^ Broke, To Tho: Abbest, to Cha: Barrow, to Jn^o^ Chumly to W^m^ Wright, to Price ffarmatt, to Walt^r^ Power & to Jn^o^ Birke each Two hundred & fforty pds of Tob, to Jn^o^ Merriton ffour hundred pds of Tob, to Tho: Harpin Three hundred & Sixty pds of Tob, to Jn^o^ Pursell Three hundred pds of Tob, to Anth: Vnderwood Two hundred & ffifty pds of Tob, to Jn^o^ Atkey one hundred pds of Tob, to Will^m^ Taylor Twelve hundred pds of Tob, to Humph: Boone seaventy pds of Tob, to W^m^ Cookey sixty pds of Tob, to to Tho: Bucknall fforty pds of Tob, to Cap^t^ Richard Hill Seauen hundred & Twenty pds of Tob, to Dan^ll^ Clocker Two Thousand Three hundred Thirty Seauen pds of Tob, to Edw^d^ Beedle Sixty ffiue pds of Tob, to Ja: Hugate Thirty one pds of Tob, to Lawrence Taylor Twenty pds of Tob, to Rich^d^ Marsham Three hundred pds of Tob, to John Stone ffour hundred pds of Tob, to Rob^t^ Ridgely one Thousand & Eighty pds of Tob, to Ninian Beale Two hundred sixty Six pds of Tob, to John Joyes one hundred & six pds of Tob, to Edw^d^ Harper, to Tho: Grin, to Tim: Sewall, to W^m^ Marshall to olliuer Jones,

Liber W. H.

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Liber W. H. to John Shepard to Tho: Read, to W^m^ Harbert, to And: Brandey, to W^m^ Wood, to Ja: Nuthall, to Jn^o^ Morrice, to Jn^o^ Metchoner, to Gab^ll^ Strosley, to Ja: Gamwell, to Phi: Lawrence, to Jn^o^ Browne, to Richard Botelor, to Edw^d^ Howard, to W^m^ Kidd, to Hen: Dewen, to ffra: Dewen, to W^m^ Loyler, to Dan^ll^ Armiger, to Tho: Jessopp, to Jn^o^ Crumwell, to Arthur Staines, to W^m^ Thomas, to Walter Evens, to Tho: Scriven, to W^m^ Jones, to Hen: Tiler, to John Monter, to David Jones, to Tho: Ellis, & to Rich^d^ Sidley each Eighty pds of Tob, to Steph: ffrancis, Two hundred & Twenty pds of Tob, to Chr: Bridgewater one hundred & Tenn pds of Tob, to Rich: Browton Three hundred & ffiue pds of Tob, to W^m^ Greenegoe ffour hundred and Twenty pds of Tob, to Majo^r^ W^m^ Boreman Two Thousand ffour hundred pds of Tob, to John Saxon Three hundred & Thirty pds of Tob, to ffra: Catterson Nine Thousand seauen hundred Thirty Six pds of Tob, to John Baker ffifteene Thousand ffiue hundred ffifty ffour pds of Tob, to Jn^o^ Stauely one hundred pds of Tob, to Tho: Shore Two hundred & ffifty pds of Tob to Hen: Exon eleuen Thousand Two hundred sixty ffour pds of Tob, to Garrett vanswearingen Thirteene Thousand ffour hundred & Seauenty pds of Tob, to Jn^o^ Lewellin ffour Thousand pds of Tob, to Majo^r^ Cha: Botelor Three Thousand pds of Tob, to W^m^ Cockes Two Thousand one hundred pds of Tob, to Tho: Bland ffifteene Hundred pds of Tob, to Geo: Watts Eight hundred pds of Tob, to Jos: Norwood Six hundred pds of Tob, to Hen: Costin Six hundred pds of Tob, to John Baker Twenty ffour Thousand one hundred ninety seauen pds of Tob, to ffra: Burton Two Thousand pds of Tob, to Mich: Thompson of S^t^ Marys County, & to Ambrose Biggs of Calvert County, each Eighteene hundred & ninety pds of Tob, to the seuerall Sherriffes in this Province for theire sallary for Collecting the sume of Two hundred & nineteene Thousand six hundred sixty & Two pds of Tob, the sume of Twenty one Thousand nine hundred sixty & Six pds
p. 192 of Tob, And bee itt further enacted by the advice Consent & Authority aforesaid, that the aforesaid sum̄es of Tob, amounting in the whole to the sum̄e of Two hundred fforty ffiue Thousand ffour hundred & nine pds of Tob. bee Leavied & Assessed by an equall Assessm^t^ vpon the psons & estates of the Inhabitants of this Province, & bee paid to the seuerall psons to whom the same is Due according to the acco^ts^ & disbursem^ts^ & neccessary Charges of this Province w^ch^ haue beene examined stated & allowed by the vpper & Lower houses of this p^r^sent Gen^ll^ Assembly any Law Custome or statute to the Contrary in any wise notwithstanding./

An act ag^{t} Ingrossers & Regraters./ Liber W. H.

ffor as much as hitherto noe Law hath beene made wthin this Province for Restraineing & prohibiting Ingrossing & Regrateing the vndue & to frequenting practice whereof hath beene & still is highly oppressiue & Injurious to the greater parte of the Inhabitants of this Province who are by meanes thereof deprived & wholly p^{r}vented from the benifitt of Laying out theire Cropps of Tob, or any parte thereof, with the Merchant Adventurers theire ffacto^{rs} & others, bringing in all sorts of goods Merchandizes & Serv^{ts} for the purchase thereof, whilst a Couetuous & actiue presort of people, & butt few in number of the Inhabitants of this Province doe buy & purchase all or most parte of the good merchandizes & Serv^{ts} yearely brought into this Province wthout Consignem^{t} for the purchase of Tob, & albeitt they haue not Tob of theire owne whereby to pay for the goods Merchandizes & Serv^{ts} soe by them from time to time bought & purchased, Neuerthelesse such is the neccessity of the Province that within a few days after such purchase they can Regrate the same goods Merchandizes & Serv^{ts} & with a small parte of the Tob therewith purchased pay & satisfy for all the said goods M^{r}chandizes & Serv^{ts} & bee Ready for another markett, thereby not only in haueing the price of all goods Merchandizes & Serv^{ts} butt makeing sundry Retournes in one Shipping season, & in the meane time the greater number of the Inhabitants of this Province are disabled & totally hindred from selling theire Cropps of Tob, Vnlesse itt bee to & with the aforesaid Hucksters or some or one of them att theire owne deare Rates & prices, for the p^{r}vencō therefore of soe greate a Mischeife for the future, Bee itt enacted by the Right Honourable the L^{d} Prop^{ry} by & with the advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the Authority of the same, that w^{t}soeuer pson or psons, that after the Twenty ffifth day of Decemb^{r} one Thousand six hundred eighty one shall Ingrosse or gett into his her or theire handes or possession by buying Contracting or promise takeing within this Province any goods or Merchandizes whatsoeuer, or Serv^{ts} to the intent to sell the same againe within the space of Six months, & the same or any parte thereof, shall within that time sell againe for Ready Tob, or for Tob to bee paid the Shipping, hapning in the time of such ffirst sale, or for Tob to bee shippt for paym^{t} or secureing the paym^{t} of any bill or bills of Exchange to bee drawne for the paym^{t} of the said goods M^{r}chandizes or Serv^{ts} with intent to Elude the benifitt of this Act, or the same goods M^{r}chandizes or Serv^{ts} shall Transport out of this Province shall bee accepted Reputed & taken for an vnlawfull Ingross^{r} & Regrat^{r} & shall suffer the paines penaltys & forfeitures heere-

Liber W. H. after expressed, any Law statute vseage or Custome to the Contrary heereof in any wise notwithstanding, And bee itt
p. 193 enacted by the authority aforesaid, that if any person or psons shall att any time after the said Twenty ffifth day of December, one Thousand six hundred Eighty one, offend in any of the things before Recited, & being thereof duely Convict by Confession or the oathes of Two witnesses, before the Justices of the Prov^{ll} Court, or the Justices of the County Courts, for the time being where the offences were Comitted, shall for his or theire ffirst offence haue or suffer Imprisonm^{t} by the space of Two Months wthout bayle or Maine prize & all soe shall Loose & forfeite the value of the goods M^{r}chandizes or serv^{ts} soe by him or them bought or had, & if any pson or psons Lawfully Convicted or attaynted as aforesaid of or for the said offences, & bee thereof againe Lawfully in like manner Convicted or attainted as aforesaid that then euery person & persons, Soe offending shall haue or suffer for his or theire second offence Imprisonm^{t} for the space of one halfe yeare, without baile or maineprize & shall Loose double the value of all the goods & M^{r}chandizes or Serv^{ts} soe by him or them bought or had as aforesaid, And bee itt further enacted by the Authority aforesaid that if any person or psons being Lawfully Twice Convicted or attaynted as aforesaid of or for the said offence & shall againe offend the Third time & bee thereof Lawfully Convicted or Attaynted as aforesaid, that then euery pson for the Third offence shall bee sett on the Pillory in the Citty Towne or in the full County where hee shall then Inhabite or dwell, & Loose & forfeite all the goods & Chattles that hee or they haue, to theire owne vse, & allsoe to bee Comitted to prison, there to Remaine dureing the Terme of one whole yeare the one Moyety of all which forfeitures to bee to the said Right Honourable the Lord Prop^{ry} & the other Moyety thereof to the Informer, or to him or them that shall sue for the same in the Prov^{ll} Court of this Province, or in the Respectiue County Courts within this Province, within whose Jurisdiccō the said offences or any of them shall happen to bee Comitted by accō of debt Bill plaint or informacō wherein noe Essoyne protecccō or wager of Law to bee admitted Provided that this Act nor any thing therein Contained, shall nott debarr or bee Construed to debarr or hinder any pson or psons whatsoeuer within this Province by or out of any goods or M^{r}chandizes by him or them soe bought or purchased as aforesaid to satisfy & pay vnto any workeman or Serv^{t} the Hire or wages to him or them due for any worke or service w^{t}soeuer, This Act to endure for the Terme of Three yeares or to the end of the next Gen^{ll} Assembly, w^{ch} shall ffirst happen./

Liber W. H.

An act for the Releife of Jacob Leister of Newyorke Mʳchant./

Bee itt enacted by the Right Honourable the Lord Propʳʸ by & with the advice & Consent of the vpper & Lower houses of this pʳsent Genˡˡ Assembly & the authority of the same that Three pds ꝑ Poll bee this pʳsent yeare Raised & Leauied out of the Taxables of this Province by an equall Assessmᵗ which will amount vnto the sume of Twenty Three Thousand one hundred ffifty & seauen pds of Tob, out of wᶜʰ deduct the Shreiffes sallary for Collecting the same wᶜʰ Comes to Two Thousand Three hundred & ffifteene pds of Tob, there will Remaine Twenty Thousand Eight hundred fforty & Two p. 194 pounds of Tob, wᶜʰ is heereby ordered to bee paid to the said Jacob Leister or his order in Consideracon & satisfaccon for his losses sustained by Creditts giuen to this Province for Reparacon wherein hee hath beene an Humble suitor to his Lopp & Two houses of Assembly.

A Supplementary act to the acts for limitacon of officers ffees./

Bee itt enacted by the Right Honourable the Lᵈ Propʳʸ by & with the advice & Consent of the vpper & Lower houses of this pʳsent Genˡˡ Assembly & the authority of the same that noe Sherriffe within this Province shall take demand exact or Receiue of any pson or psons whatsoeuer, for any arrest of or attendance vpon any pson wᵗsoeuer being in his Custody one houre lesse then ffour & Twenty hours, aboue the sume of Thirty ffiue pds of Tob, vnder the penalty Contained in the act for Limitacon of officʳˢ ffees, made att a sessions of Assembly begunn the ffifteenth day of May one Thousand six hundred seauenty & six, & for the future noe officʳ or officʳˢ in the said Act particulerly menconed nor any the County Clerkes within this Province (whose ffees are by an act of Assembly begunn the Twentieth day of octobʳ one Thousand six hundred seauenty & Eight, limited & setled) shall by vertue of either of the said Acts Leavy or cause to bee Leavied any Execucon vpon the body goods or Chattles of any pson or psons whatsoeuer, for any ffees in the said seuerall acts Limited & Contained wᵗʰout ffirst deliuering or Caused to bee deliuered a true & Just accoᵗ of the ffees to them due by the acts aforesaid vnderhand or handes of such officʳ or officʳˢ as aforesaid, to the pson or psons from whom such ffees demanded are due as aforesaid, & if any officʳ of officʳˢ in either of the said acts named shall exact Charge demand or Receiue any ffees for any matter or thing Coppy or Coppys, where the pson or

Liber W. H. psons Concerned, neuer Required had or Receiued the same or shall doe any matter or thing directly or indirectly contrary to the true intent & meaneing of the said seuerall acts shall Loose & forfeite the seuerall penaltys in the said seuerall Acts to bee sued & Recovered in such mann^r as in the said seuerall acts is sett forth & declared, Provided that this act nor any thing therein Contained shall not bee Construed taken or adjudged to debarr or hinder any pson or psons w^tsoeuer from prosecuteing any action already Comenced or heereafter to bee Comenced for breach of either of the said acts, & the Recovery of the penaltys already incurred any thing heerein Contained to the Contrary notwithstanding, Provided alsoe that noe suite or action heereafter to bee Comenced for breach of this p^rsent act or either of the aforesaid acts shall bee Comenced prosecuted or sued after Two yeares after the end of this p^rsent sessions of Assembly or after Two yeares after the Cause of action./

Private act past.

An Act for Confirmeing the title of a pcell of Land in Calvert County in Samuell Houldsworth & his Heires against Edward Husbands & his Heires foreuer./

p. 195 And therefore wee Comand thee that these Laws & euery Article in them Contained att the vsuall places in yo^r County you Cause to bee proclaimed & published & firmely to bee kept, Witnesse ourselfe att our Citty of S^t Marys the Twelfth day of Novemb^r in the sixth yeare of our dominion ou^r our said Province of Maryland, Annoq^r dom 1681./

P: Calvert Canc./

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, April 25–*May* 13, 1682.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

At an Assembly held by Proroguation from the 15th Day of Iune Anno Dom 1676 untill the 15th Day of May Anno Dom 1677 and from thence by Several Proroguations Continued and Prorogued untill the 6th Day of May Anno Dom 1679 but for divers weighty and Urgent Affairs relating to the State and Welfare of the Province then before Interveneing, and by the honourable the Governor and Council of this Province taken into Consideration) Called by Proclamation bearing Date the 28th Day of August Anno Dom 1678 to Meet at the City of S^{t} Maries the 20th Day of October then Next following which accordingly mett the said 20th Day of October 1678 at the City of S^{t} Maries and there Sat till the 15th Day of Novem^{r} then next following, and from thence was Prorogued until the 2^{d} Tuesday in May Anno 1679 And from thence by Severall Proroguations till the 16th Day of August last past which accordingly then Assembled and Sat till the 17th Day of September then next following, and was from thence again Prorogued untill the first Day of November then next following which then also Assembled and Sate at the City of S^{t} Maries untill the Twelfth Day of the Same Month, and was from thence Prorogued unto this 25th Day of April in the Seventh Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &^{t} Annoq Domini 1682

U. H. Journal 1659-98 p. 389

At which said five and Twentieth Day of April the Upper House of Assembly mett att the Council Chamber at the City of S^{t} Maries where Appeared—

The Right Honourabe Charles Lord Baltimore Lord Proprietary

The Honourable

Philip Calvert Esq^{r} Chanc^{r}
W^{m} Calvert Esq^{r} Princip^{ll} Secre^{ry}
Coll: Thomas Tailler

Coll: William Stevens
William Digges Esq^{r}

And Absented themselves The honble

Coll: Henry Darnall—in England
Coll: Henry Coursey
Coll: Vincent Lowe—Sick

U. H. Journal 1659–98

The Speaker and others the Members of the Lower house having Notice Given them that the Upper house Sat at the Council Chamber at the City of S[t] Maries and that his Lordship was there ready to receive them, Presented themselves all in their Places to his Lordship in his Upper house where his Lordship in a Short Speech Communicates to them the reason of his calling them Together at this Time and that was to Advise with them how and in what manner We should behave Ourselves towards the Northern Indians in Case of their Making any Appearance among us as was very Probably Expected or rather indeed in case of Such Appearance how we should Behave Ourselves towards the Pisscattaway Indians Our Articled friends; That his Lordship during this Jntervall of

p. 390

Assembly had not Sate still but had with the Advice of his Council Consulted all ways and Means Possible Conducing to the Peace and Quiet of the Province, That in Order thereunto he had Sent Captain Hill a Member of their house to New York with Instruction and Recommendations to that Government concerning Our present State with the Northern Indians, that Captain Hill was lately returned back from thence and had brought with him as Obliging an Answer as could in So short time of Consideration be Expected from that Government that he was Expected Down Some time this Assembly to give his Lordship and Council a further Account of his Negotiation, which his Lordship in Convenient time would Communicate unto them together with all that hath passed between the Two Governments, that his Lordship was of Opinion and did believe that they would Consider of Some Means to be used by Agents to be Sent and Employ[d] thither in relation to a Treaty with those Northern Indians some good Effect might ensue in Order to Our future peace and Quiet, He therefore willed them to go together and Consult and Offer him their speedy Advice without putting the Country for whom they Serve to unnecessary Charges by their Tedious and Long Debates in Matters of Small Concern, that he had by Commission Appointed M[r] Thomas Grunwin their Clerk whom he doubted not they would find Respectfull Carefull and Capable

They return all into their own house with their Clerk.

And this house Adjourns till to Morrow Morning 9 a Clock—

26th April 1682 Upper house mett according to Adjournment

Present

The honourable

Philip Calvert Esq[r] Chan[r]
W[m] Calvert Esq[r] princp[ll] Secc[ry]
Colonel Thomas Tailler

Coll: William Stevens
William Digges Esq[r]

This house take into Consideration the Business recommended to their Charge by his Lordship in his Speech Yesterday, and resolved that the Same be Distinctly Considered of by every particular Member of this house so as to be reduced into Order to the end that they may have their reasons and Motives ready to Offer to the Lower house when the Same shall fall in Debate between them U. H. Journal 1659–98

Voted in this house that an Act be drawn up for preventing the unreasonable tare of Cask and false packing of Tobacco, wherein provision to be made Viz[t]

1 That all Planters be required to take care that all their Timber for Staves and heading of Tobacco Hogsheads be fallen by the last Day of April in every Year at furthest under a Certain Penalty

2 That no Cooper presume to Sett up any Tobacco hhd but with Such Timber as aforesaid, and that to be hewn into Staves and heading by the last of Iune at furthest with due regard had to the Gauge of the Cask already Provided in An Act of Assembly of this Province for that purpose under a Penalty also

3[d]. That no Tobacco Hogshead when fully finished shall Exceed the weight of Eighty pounds under a certain Penalty to be Inflicted on the Planter & Cooper Equally p. 391

4 That no Planter presume to false pack any Tobacco by putting therein any frost bitten Ground leaves or Seconds or Worse Tobacco in the Midle about or in any part of the hhd then is at the head in open view, under a Penalty of having every hh[d] of Tobacco so false packt as aforesaid burnt by the Sheriff or other publick Officer and the Delinquent also to forfeit one thousand pounds of Tobacco for every such Default one half to the Right Honourable the Lord Proprietary the other half to the Informer or who shall Sue for the Same

A Message from the Lower house by M[r] Robert Carvile and M[r] John Coode they bring with them the form of an Oath which they desire may be Administred by this house to the Clerk of their house whom they had brought with them to that Purpose the Oath being as foll Viz[t]

The Oath of the Clerk of the Lower house.

J: T: G: do Swear that I will faithfully Serve the Lord Proprietary & the Lower house of Assembly in the Office of Clerk of the said Lower house During my Continuance in the said Office, and that I will faithfully and Truly to the best of my Skill cunning and knowledge enter and Record the Orders Rules and Proceedings of the said house, and that I will not Divulge or Discover any the Debates or proceedings of the said house without Order of the s[d] house to any Person or Persons whatsoever unless to a Member of the said house.

So help me God and the Contents of this Book—

U. H. Journal 1659–98

Which Oath was accordingly Administred to and taken by Mr Thomas Grunwin Clerk of the Lower house and the same returned again to the Lower house by the same Messengers thus Subscribed Vizt

April 26th 1682 Sworn in the Upper house
Signed pr Order pr John LLewellin Cl of Assembly—

This house then proceed further to Debate and Consider of the Act for preventing the unreasonable Tare of Cask and the Title thereof is thus Altered Vizt

An Act Prohibiting the unreasonable Tare of Hogsheads and for punish: false Package of Tobacco—

And as to the first Article concerning the falling the Timber by the last of April every Year for Tobacco hhds Voted that the same take force from & after the 25th Day of September next under the Penalty of 400 ll Tobacco for every hhd that shall be made of any other Timber then what shall be fallen as aforesd

And as to the Second requiring Coopers to hew Such Timber so fallen as aforesaid into Staves and heading by the last Day of Iune in every year respectively Voted that the same also take force from and after the said 25th Day of September next under the Penalty of 400 ll Tobacco for every hhd that shall be made of any other Timber than what shall be hewn out into Staves and heading by the time Limitted to be equally recovered of the Cooper that Setts them up and the person for whom the Same are Sett up or either of them

p. 392

As to the third relating to the Tare of the Cask not to Exceed Eighty pounds weight the same to be under the same Penalty of 400 ll Tobacco and to be equally recovered of the Cooper and Planter or either of them as aforesaid

As to the fourth relating to the false packing of Tobacco Voted that the same Continue under the penalty of one thousand pounds Tobacco as in the said Article is first Expressed and that this Article relating to false packing Tobacco take force from and after the 30th Day of Iuly next under the aforesaid Penalty, and the Hogshead of Tobacco be also Burnt as in the said Article is also before Expressed

Voted also that all fines in this Act Contained shall be payable one half to the Lord Proprietary the other half to the Informer or him or them that shall Sue for the Same

And to prove the Breach of this Act, Voted that any Peron going to receive Tobacco having in his Company one Person more shall draw out of any hogshead tendered him in pay four Samples two whereof he shall keep himself in his own Custody and other two he shall deliver to the other person

with him by him also to be kept, which produced and proved by the Oaths of both Said Parties before the Iustices of the Provincial or County Court shall be Good Evidence to prove the Breach of that Clause of this Act which relates to false packing of Tobacco U. H. Journal 1659–98

The said Act to be Triennial or to the End of the next General Assembly which should first happen

An Act was accordingly drawn up read once in this house and Voted a Second reading to Morrow Morning

The house thereupon Adjourns till to Morrow Morning 9 a Clock

April the 27th 1682 Upper house mett

Present

The honourable

{ Philip Calvert Esq^{r} Chan^{r} / W^{m} Calvert Esq^{r} Princip^{l} Secr^{ry} / Colonel Thomas Tailler— } { Coll: W^{m} Stevens / W^{m} Digges Esq^{r} }

The Bill Prohibiting the unreasonable Tares of Cask and for punishing false Package of Tobacco again read, and thereupon Moved that the thirtieth Day of April being now at hand the time Limitted for falling Timber for Tobacco Hogsheads cannot Possibly take Effect for this next Ensuing Crop, Voted that a Proviso be therefore made in the latter end of the said Act, Limitting the time for falling Timber for Tobacco hh^{ds} for this next Crop to the last of Iune next and not further, the said hhds having Suitable Dimentions and not Exceeding the weights (when sett upp) in the said Bill already Provided

Which Proviso being accordingly added to the said Bill, it was again read in this house and Voted to be Jngrossed

A Message from the Lower house by Cap^{t} Randolph Brandt and M^{r} Iohn Stone Contained in this following Paper Viz^{t}

Lower house of Assembly 27th April 1682 p. 393

This house desires to know if the Upper house have any thing to Communicate to this house from the Right honourable the Lord Proprietary or from themselves in relation to the Northern Indians in regard his Lordship was pleased to Speak to that Purpose in his Speech

Signed p^{r} Order Thomas Grunwin Cl of the Lower house of Assem^{ly}

To which this house returned Answer they will send by Members of their own, Cap^{t} Brandt and M^{r} Stone being

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returned to their own house; This house proceed to Answer their Message thus Viz[t]

Upper house April the 27th 1682

His Lordship is hourly Expected in this house, when this house will Consult and Consider of what his Lordship hinted in his Speech concerning the Northern Indians and will then Communicate to the Lower house what they shall receive in Charge from his Lordship for that Purpose

Signed p[r] Order p[r] John LLewellin Cl of the Assembly

Sent to the Lower house by Captain Digges; Captain Digges having Delivered the Same returns again into this house

This house Adjourns for an hour

Upper house again mett according to Adjournment

Voted that the Bill Prohibiting unreasonable Tares of Hogsheads and for Punishing false Package of Tobacco being fairly Engrossed be again read

The Bill accordingly read and passed the house in these Words Viz[t]

April the 27th 1682
Upper house have Assented—
Signed p[r] Order John LLewellin Cl of Assembly—

Adjourn till to Morrow Morning 9 a Clock

April 28th 1682 Upper house mett where appeared
The Right Honourable the Lord Proprietary
The honourable { William Calvert Esq[r] Princip[l] Secretary
Coll Thomas Tailler—
Coll: William Stevens—

Cap[t] Richard Hill by Order of his Lordship attends this house and is Commanded to give this house a particular Account of his Negotiation at New York whether he had by his Lordship and Council been lately Employed which Accordingly the said Hill Did having Drawn the Same into writing and read it to the house whereupon he is Dismissed and required to Communicate the full relation to the Lower house whereof he is a Member, Voted also in this house that a Copy of his Lordship and Councils Letter to the Gov[r] of New

York, and the Governor of New Yorks Answer thereunto be Transmitted to the Lower house for their perusall U. H. Journal 1659–98 p. 394

The Honourable the Secretary and Coll: William Stevens are appointed to carry the Same to the Lower house and to let them know that this house referr them to Cap^{t} Hill a Member of theirs for a more Ample Account of that affair of whom they are desired to Demand it

The honourable the Chancellor and William Digges Esq^{r} Enter the House and take their places

The Secretary and Coll: Stevens having Delivered their Message return again into this house

The Bill Prohibiting unreasonable Tares of hogsheads & for punishing false Package of Tobacco Sent to the Lower house p^{r} Coll: Stevens which having Delivered Coll: Stevens returns again into this house—

Coll: William Burgess, M^{r} Kenelm Cheseldyne, M^{r} John Rousby Cap^{t} Richard Ladd, Cap^{t} Jonathan Sibrey, Cap^{t} Randolph Brandt, M^{r} Joseph Wicks, and M^{r} John Stone Members of the Lower house, came with a Message from thence, which Coll: William Burgess (having by word of Mouth first Signified the thanks of their house to his Lordship for the great care his Lordship had taken for preservation of the Province, and that the Governor of New Yorks letter should be returned So Soon as they had Entered it upon their Journall) Delivered in the following Papers

Lower house 28th April 1682

This house have read the Letter of his Lordship and Council to the Governor of New York also the Answer of the said Governor to his Lordship and also heard a full relation concerning the Northern Indians from Captain Richard Hill, and do return humble thanks to his Lordship for his Lordships great care thus farr taken for Our Safeties and Quiet and remembering that his Lordship is pleased to require the Advice of this house in this great affair, We do Declare that we are ready (when the Upper house shall give us Notice to that Purpose) to Join a Committee of the Members of Our house with Some of the Members of the Upper house for the Consulting the Affairs relating to the Northern Indians that so his Lordship may the Sooner Receive Advice from both his houses

Signed p^{r} Order Thomas Grunwin Cl of the Lo: House

Coll: Burgess and the rest of the Members of the Lower house having Delivered the foregoing Message return into their own house

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Upper house 28th April 1682

Voted that the honourable Philip Calvert Esq^{r} William Calvert Esq^{r} Coll: Thomas Taylor Coll: William Stevens and William Digges Members of this house Ioin in Comittee with Some of the Members of the Lower house to Consult together Concerning the Northern Indians and that the new Council Chamber be appointed for the said Committee to meet in to Morrow Morning Nine of the Clock—and this house desire the Concurrence of the Lower house herein

Signed p^{r} Order John LLewellin Cl of Assembly—

The above Message or Vote of this house sent to the Lower house by the Honourable the Secretary and Coll: William Stevens—

Which having Delivered they return again into this house

p. 395 Captain Henry Trippe and M^{r} Nathaniel Garrett from the Lower house bring this following Message Viz^{t}—

Lower house 28th April 1682.

Voted that Coll: William Burges, M^{r} Iohn Rousby, M^{r} Ioseph Wicks, M^{r} Richard Hall, Captain Richard Hill, Captain Randolph Brandt, Cap^{t} Robert Henley, and M^{r} Bartholomew Ennalls Members of this house meet to Morrow Morning Nine of the Clock in the new Council Room to Ioin in Committee with Such Members as are Appointed by the Upper house there to Consult concerning the Northern Indians—

Signed p^{r} Order—

Tho: Grunwin Cl of the Lower house of Assembly—

The two Members of the Lower house having Delivered their Message return to their own house and

This house Adjourns till to Morrow Morning 8 of the Clock

April the 29th 1682 Upper house mett where Appeared

Philip Calvert Esq^{r} Chan^{r}
Will^{m} Calvert Esq^{r} prin^{ll} Sec^{ry}
Coll: Thomas Tailler
} Coll: William Stevens
W^{m} Digges Esq^{r}

Coll: William Burgess and others the Members of the Lower house appointed to Ioin in Committee with the Members of this house to Consult of the Norther Indian Affairs are accordingly Sent from the Lower house and bring with them the Gover^{r} of New Yorks Letter which was Delivered to this house; And this house thereupon Adjourn till Monday Morning the first Day of May Eight of the Clock, resolving themselves now into a Grand Committee to Ioin with the Members of the Lower house thereunto Appointed—

May p^mo 1682 Upper house Mett U. H. Journal 1659–98

Present

The Honble.

{ Philip Calvert Esq^r Chancellor } { Coll Thomas Tailler }
{ William Calvert Esq^r Secretary } { Coll: William Stevens }

The Members Committees of the Lower house being ready to Ioin with those of this house thereunto Appointed

This house Adjourn till 3 a Clock afternoon

At 3 a Clock Upper house again mett according to Adjournment

And Adjourn till to Morrow Morning Eight a Clock—

May the 2^d 1682 Upper house mett—

The Right Honourable the Lord Proprietary—

The honourable

{ Philip Calvert Esq^r Chan^r } { Coll Vincent Lowe— }
{ W^m Calvert Esq^r Secre^ry } { Coll: William Stevens }
{ Coll Thomas Tailler }

Adjourn till to Morrow Morning 9 a Clock to Meet the Committee now ready to Sitt—

May the 3^d 1682 Upper house Mett

The honble

{ Philip Calvert Esq^r Chan^r } { Coll Vincent Lowe }
{ William Calvert Esq^r Sec^ry } { Coll: William Stevens }
{ Coll Thomas Tailler }

The Members of the Lower house Committees being now Sent from the Lower house to Ioin with those of this house, This house Adjourn till to Morrow Morning Nine of the Clock p. 396

4th May 1682 Upper house mett

The honourable

{ Philip Calvert Esq^r Chan^r } { Coll Vincent Lowe }
{ William Calvert Esq^r Secret^y } { Coll William Stevens }
{ Coll. Tomas Taylor }

Coll: Stevens is desired to go to the Lower house and acquaint them that this house is now ready to receive any Bills or Messages they have to Offer he returns again having Delivered his Message

Presented to this house a Petition Exhibited by David Iones Craving Consideration of Losses Sustained by the Northern

U. H. Journal 1659–98 Indians Plundering his house in September last which was read and thus Endorsed Viz[t]

Upper house 4th May 1682

The Lower house is Desired to take this Petition into their Consideration this house being willing to Concurr with any reasonable Allowance they shall think fitt to make the Petitioner

Signed p[r] Order Iohn LLewellin Cl of Assembly—

A Message from the Lower house by M[r] Carvile M[r] Coode M[r] John Rousby and Coll: William Burgess

M[r] Carvile Delivers their Charge as followeth Viz[t]

That the Lower house had perused and Seriously Debated the Bill Sent them by this house concerning the unreasonable Tares of Tobacco hhds and false Package of Tobacco wherein they thought some Alterations & Amendments Necessary and accordingly Committed the Same to a Select Number of their Members appointed Committees for the review and Examination thereof, who had likewise Drawn up a New Bill to the Same Effect with Such Alterations and Amendments as the Conceived Necessary, and presented to their house upon full Consideration and Debate whereof they found so many Inconveniencies and Dangers that Masters of families and Others might Incurr by their Overseers and Servants in the Negligent Careless or Voluntary ill Management of their Crops, that they at last Concluded wholly to Suspend the Bill unless this house would Consider of Some Expedient to remedy those evills and lett a Bill be drawn accordingly, and then their house would readily take the Same into their further Debate, but to lett this house See they had not been idle or Slighted the Debate thereof they now returned the Bill Drawn up by this house as also the other Drawn up by their Committee; Neither of which they Conceived Sufficiently Provided against the many Inconveniencies and of Evill that are Necessary Consequences thereof

They Likewise present to this house Severall Bills to which they desire the Assent of this house and they return to their own house—

The Bills are Viz[t]—

p. 397 An Act Ascertaining what Damages shall be Allowed on Protested Bills of Exchange

An Act Explaining an Act concerning Port Duties & Masters of Ships

An Act for the Encouragement of making Linnen & Woollen Cloth within this Province—

An Act for Naturalization of Mathew Eareckson and Albert Iohnson.

An Act Limitting the Expences of the Com^rs of the County Courts of this Province— U. H. Journal 1659–98

An Act for Encouragement of Tillage and raising Provisions for Advancement of Trade within this Province—

All read in this house and Voted a Second reading to Morrow Morning—

This house Adjourns till to Morrow Morning 9 a Clock—

The Committee going to Sett—

May the 5th 1682 Upper house mett—

The Honourable

{ Philip Calvert Esq^r Chanc^r } { Coll: Vincent Lowe }
{ Collonel Thomas Tailler } { Coll William Stevens }

Ordered by this house that no Ordinary Man presume to Charge the Publick faith with any thing Sent out of their house to any private Mans house or Chamber

Voted that the above Order be Affixed to the Wall in Some Place of M^r Vansweringens house to the End the same may be publickly known and taken Notice of

The Committee being ready to Sitt this house adjourns for two hours

After two hours this house again mett—

Present as before.

The Report of the Committee brought into this house is read & Approved of by the Unanimous Vote of this house being as followeth Viz^t

May the 4th 1682.

The Committee of both houses of this Present General Assembly appointed to Consult of the ways and Means to preserve the Province in case it be Invaded by the Northern Indians (being the Chief Business Recommended to the two houses by his Lordship at the Opening the Assembly) Offer this as their Advice and Report (Viz^t)—

That Some Members be sent to New York to treate with all the Northern Nations of Indians, and to make peace for Our Selves and all Our Neighbour Indians on both Sides of the Bay of Chesepeake

That the Pisscattaway Indians be protected in the meantime with Arms Ammunition and Men (if need require) and that those Men be Commanded by Some Moderate Discreet Person

U. H. Journal 1659-98 Such as his Lordship shall appoint who may upon the Appearance of the Northern Indians mildly acquaint them that the Design of the English Arms is not to Offend them, but to keep the Pisscattaways and them from killing one the other, till such time as our Agents at New York shall have procured peace for us and all Our Neighbour Indians

That the Eastern Shore Indians be Supplyed with Ammunition if they desire it & those in Authority there think fitt, not Otherwise

That frequent Musters and Appearances in Arms of Our
p. 398 English be Made on the Western Side the Bay Especially, and in Cecil County, and that the Military Officers Instructions and Commission for a Defensive Warr be Continued against the Northern Indians

That if the Peace with the Northern Indians cannot otherwise be Procured for Our Neighbour Indians at Pisscattaway and the rest of Our friend Indians on both Sides the Bay, that the Governor of New York be pressed to Deny the Northern Indians Trade unless they will hold Peace with us, and all Our Neighbour Indians on both Sides the Bay, and that in that Case it be Urged that they cannot in reason deny it to us, Since they deny the Omeydes and Onondagoes Trade unless they will keep Peace with the Sinnondowanues and So force those Nations to peace though out of the reach of their Arms

And further in Case they deny Trade to the Indians as aforesaid but upon the Terms aforesaid, that they be informed that his Majesties Subjects in Virginia as well as Maryland will Suffer by the Passage of those Northern Indians to Warr with the Indians under his Majesties Protection in Virginia as well as with the Indians in Maryland, And that in that Case we must apply Ourselves to his Royal Highness (if in England) or to his Majesty and Council

These things we hope will appear reasonable to both houses when they Consider

First That the Pisscattaways became Enimies to the Susquehannahs meerly upon the Score of Articles made with the Honourable Leonard Calvert Esq^{r} at first, and after by Assisting us against them in the year 1676. That tis the remnant of the Susquehannahs that engage those Northern Nations with whom they are now Incorporated to revenge thereupon the Pisscattaways minding them that the Pisscattaways formerly killed Some of the Northern Indians at Ann Arundell and S^{t} Maries, because those Northern Indians had Murdered English in Potapsco and other places, and rendered the Pisscattaways Suspected to us

2dly That if we Abandon the Pisscattaways they must incorporate with the Northern Indians, and in that Case become another Enraged Enemy with the Susquehannahs

3dly That then no Nation (not even the Northern Indians themselves) will ever trust Us more, and the Nanticokes and Eastern Shore Indians must follow the Example of the Pisscattaways; after which we shall be left as friendless as faithless, and utterly unable to deal with this Sckulking Enemy that Warrs only by Surprize U. H. Journal 1659–98

Signed p^r^ Order of the Committee
John LLewellin Clerk

The Approbation of this house thereunto was thus Subscribed Viz^t^

Upper house 5th May 1682—
Read and Aproved by this house, Recommended to the Consideration of the Lower house
Signed p^r^ Order J LLewellin Cl of Assembly

May the 5^th^ 1682 p. 399
Voted in this house that the Lower house be desired to Ioin with this house in preparing a Bill for opening Trade with the Indians as is done in Virginia and other Parts of America to be Managed by Such Persons Inhabitants of this Province only as shall be empowered by Licence from his Lordship to the End that all Jealousy may be removed from between the Indians and us and that we may not Still appear Contemptible to them above other Places—
Signed p^r^ Order Iohn LLewellin Cl of Assembly

Which Vote together with the Report of the Committee foregoing, and David Iones,s Petition recommended to the Consideration of the Lower house Sent to the Lower house by Coll: William Stevens and Coll: Thomas Tailler—

Coll: Tailler and Coll: Stevens return from the Lower house and this house proceed to hearing the Bills before them which are Voted be read

But first his honour the Chancellor moves to be Informed whether or no this house had Assented at any time to the repeale of an Act of Assembly Allowing him Twenty thousand pounds of Tobacco for Copies of the Laws Transmitted to the Severall and respective Counties of this Province for that he understood the Lower house had Voted him no Allowance for the Laws past the last Sessions he Queries therefore if he may not Debate the Same in the Lower house. Voted that his Honour is free so to do and that the same never was yet Disputed in this house

M^r^ Kenelm Cheseldyne and Captain Henry Smith from the Lower House Come and present to this house a Bill Entituled

U. H. Journal 1659–98 an Act for Encouragem[t] of Sowing and making of Hemp and flax within this Province which having Delivered they return to their house

The said Bill read the first time in this house and Voted a Second reading in Course

The Bill Ascertaining what Damages shall be Allowed upon Protested Bills of Exchange read the Second time, and this house are of Opinion that 15 p[r] Cent allowed by the said Bill is too little in such Cases considering the time the Cred[r] must be out of his Principall, Voted that 20 p[r] Cent with Costs is but reasonable, and with that Amendment this house will pass the Bill

The Bill Explaining the Act concerning Port Dutys and Masters of Ships read the Second time—

Voted that the Qualifications of Ships &c. be particularly Expressed by Ships or Vessels Built in and Properly Belonging to this Province—

Voted also that the Lower house be desired to Explain themselves in Point, of Ships Dutys whether or no they intend thereby to cutt of the Officers fees for taking Bonds required by Act of Parliament &[t] The fourteen pence p[r] Tonn; or his Lordships imposition of two Shillings p[r] hhd Settled on him by Act of Assembly whether all or either or which of these whereof this house desire to be rightly informed, and to have the Same (if not so intended) plainly in Explicite words Express[d] in the Act before it can pass this house.

p. 400 Brought into this house the following paper which was Ordered to be Read Viz[t]

There was about two Days agoe a new Cannoe full of Indians at the North point of Potapsco, and there was a boy went to look after Cattle, and his Dog run out and bayed at a Squirrel, and it is Supposed that the said Indians thought that some English was coming upon them which made them take over a Creek within the North point it being a little before Sun going down, the next Morning I with Some others went out to know what they were, and their Business but we could not See them, nor no Sign of them it is thought that they are Evilly intended by theire carriage, and that they are the Same Indians that did the Murder at Point look out last year; for they were first Discovered last year here before that they did the Murder there, thou may please to inform the Inhabitants about them, The said Indians was seen by Several of the North point People when they went over the abovesaid Creek and there is now this Morning gone out a Party of Men to make a further Discovery, and to know what the said Indians are but as yet I have not heard any thing what they have Discovered; nought else but my Love

The 29th of 2[d] Month 1682. Charles Gorsuch—

Sent by Coll: Lowe to the Lower house thus Endorsed Viz[t]— U. H. Journal 1659–98

May the 5th 1682,
Recommended to the Consideration of the Lower house who are Desired to take the same into their present Debate
Signed p[r] Order p[r] John LLewellin Cl of the Assembly.

The Several Bills taken into their Consideration; Voted that to the Act Concerning Port Duties and Masters of Ships be added in the latter Clause thereof (no such Ship or Vessell built in or properly belonging to this Province) Coming in and Trading within this Province) and that provision be also made to Ascertain how the Delinquency may be proved and what shall be Good Evidence therein

Coll: Lowe returns from the Lower house.

The Bill for Encouragement of Making Linnen and Woollen Cloth with in this Province read the Second time, and Voted that it being particularly Expressed or Ascertained in the Act, that the property of the Cloth shall still remain and be in the owner, and that the Six and ten pounds of Tobacco p[r] Yard Allowed by the Act shall be as a reward or Gratuity only for encouragement of the Manufacture, this house will pass the Bill—

The Bill for Naturalization of Matthew Eareckson and Albert Iohnson read the Second time and passed in these Words Viz[t]—

May the 5th 1682 Upper house have Assented—
Signed p[r] Order John LLewellin Cl of Assembly.

The Bill Limitting the Expences of the Commissioners of the County Courts of this Province read the Second time and passed in these words Viz[t]

May the 5th 1682 Upper house have Assented
Signed p[r] Order p[r] John LLewellin Cl of the Assembly. p. 401

The Bill for Encouragement of Tillage and raising Provisions for Advancement of Trade within this Province read the Second time and Voted a third reading to Morrow Morning—

The Lower house by M[r] Cheseldyne one of their Members desire a view of the Articles of Peace made with the Pisscattaways

Ordered that the Clerk of the Council be required to look for them and bring them into this house, then this house will Transmitt them to the Lower house—

U. H. Journal 1659–98

Mr Cheseldyne returns with the Answer to the Lower house The Bill for Encouragement of Sowing and making Hemp and flax within this Province read the Second time, and Voted that (it being particularly Expressed and ascertained in the Bill that the pound of Tobacco per pound for hemp or flax shall be as a reward or Gratuity only for Encouragement of the Manufacture and not the Price of it, but that the Property shall Still remain in the maker or first owner) this house will Assent thereto—

The Severall Votes and Opinions of this house to the Severall foregoing Bills Ordered to be drawn up together to be transmitted to the Lower house which was accordingly done as followeth Vizt—

fifteen pr Cent Damages allowed upon protested Bills of Exchange is too little that 20 pr Cent is but a reasonable Allowance considering that in Such Case the Creditor may be kept out of his Money near two Years wherefore with that Amendmt this house is willing to pass the Bill—

The Bill Explaining an Act concerning Port Duties and Masters of Ships, is not fully and Sufficiently worded as to that part relating to the Qualification of the Ships or Vessels therein Named but ought to be thus Expressed Vizt (Ships or Vessels built in and properly belonging to this Province) and So likewise in the latter Clause of the said Bill, as to the other part concerning the Duties of Such Ships or Vessels the Lower house are desired to Explain themselves in that Particular, whether or no they mean thereby to cutt of the Officers fees for taking Bonds &t required by Act of Parliament and his Lordships Imposition of two Shillings per hhd which the Act, (as now Drawn) seems tacitly to imply all which this house desire to be rightly informed of, and to have the Same (if not so intended) plainly in Explicitt words Expressed in the Bill before this house can pass the Same.—

The Act for encouragement of making Linen and Woollen Cloth within this Province, and that for Encouragement of Sowing and making Hemp and flax within this Province this house are willing to pass, Provided it may be Ascertained by a Clause in the said Act that the Sums of Tobacco therein Granted for the Encouragement of Such Manufactures is only as a reward or Gratuity for the same and not the Price thereof, but that the Property of Such Manufacture shall still remain in the Maker or owner thereof and at his Disposall—

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The Bill for Naturalization of Matthew Eareckson & Albert Iohnson And also the Bill for Limitting the Expences of the Commissioners of the County Courts of this Province, this house have passed and return them to the Lower house—

The Bill for Encouragement of Tillage and raising Provi-

sions for the Advancement of Trade within this Province, this house have caused to be read twice, and have referred the further Debate till to Morrow Morning U. H. Journal 1659–98

Signed p^r^ Order Iohn LLewellin Cl of Assembly—

Sent p^r^ Coll: Stevens to the Lower house Coll: Stevens returns—

And this house Adjourns till to Morrow Morning 8 a Clock.

Upper house Mett
6th May 1682 Eight of the Clock ante Meridiem

Present
The Right Honourable the Lord Proprietary
The honourable

Philip Calvert Esq^r^ Chanc^r^	Coll: Vincent Lowe
William Calvert Esq^r^ Secret^ry^	Coll William Stevens
Coll Thomas Tailler	

The Bill for the encouragement of Tillage & raising Provisions &c: read the third time and passed this house by the Votes of the Honourable the Chancellor Coll: Lowe and Coll Stevens; The honourable the Secretary and Coll: Tailler Dissenting, but carried by the Major part and therefore Subscribed Viz^t^

May the 6th 1682 Upper house have Assented
Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Upper house 6th May 1682.

Voted in this house that no Freeman whatsoever keep any Stone Horse or Mare who hath not in the County where he liveth fifty Acres of Land at the least and the same already Seated or to be Seated within Twelve Months from the Date of the Act, and that no Stone horse be permitted to run in the Woods above Twelve Months old that is not fourteen hands high, and that a Bill for that Purpose be drawn up—

Signed p^r^ Order p^r^ Iohn Lewellin Cl of the Assembly.

Voted also that the Lower house be desired to Signifie their Concurrence hereunto before Such time as this house proceed to Draw up the Bill—

Signed p^r^ Order p^r^ Iohn LLewellin Cl of the Assembly

The above Vote of this house together with the Bill for encouragment of Tillage &c passed this house, Sent to the Lower house p^r^ Coll Lowe and Coll Stevens, They return from the Lower house—

U. H. Journal 1659–98

Came from the Lower house Mr George Robotham, Mr Iohn Edmundson Mr Bartholomew Ennalls, and Mr Mr Iohn Stevens with a Paper from the Lower house which they desire may be presented to his Lordship which having Delivered they return to their house—

The Paper last rece,d from the Lower house upon reading found to be false dated Vizt/ the 7th Day of May 1682 it is

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remitted again to the Lower House by Coll: Tailler to be rectified Coll: Tailler having Delivered the Same returns into this house

Mr Robert Carvile and Mr Iohn Rousby from the Lower house having first returned the thanks of their house to this house for the two Bills passed this house and Sent them yesterday, Deliver the following Papers with the Several Bills thereto and return to their house Vizt—

6th May 1682 Lower house of Assembly—

This house having Considered of the Message brought yesterday by Coll. Stevens with the Six Bills do return in Answer as follows—

1 That this house is willing the Bill for Protested Bills of Exchange do pass with that Amendment of 20 pr Cent Damages—

2 That it is the intent and Desire of this house that all Ships as well built in this Province as all other Ships and Vessels by the Inhabitants of this Province Bought. wheresoever Built, the true owners living in this Province should not pay any Port Dutys, and they do conceive that to be the true meaning of the Act for Port Duties by this Act explained—

3 This house never intended by any words in this Act in any wise to meddle with his Lordships Imposition of two Shillings pr hhd, nor doth nor can any thing in the said Act by any Implication touch or concern the same, but only relates to the fees to be paid by Such Ships or vessells as aforesaid their Entering & Clearing with his Lordships Officers—

4 That as to his Majesties Officers fees this house conceives there is none by Act of Parliament to be paid them, nor has this house concerned themselves therewith—

5 That as to the Law for encouragement of Making Linen & Woollen Cloth and Sowing of flax and Hemp, this house do conceive that the payment to be made by the Commissioners of the County Courts Sufficiently Expressed to be only paid to the Parties Owners of Such Linen and Woollen Cloth, and Flax and hemp for their encouragement in making and Sowing the same cannot reasonably be Implyed to be paid for the Value of the Goods to alter the property in the Owners—

6. This house doth return thanks to the Upper house for Consenting to Pass those two Bills by them Sent—

Signed pr Order Tho: Grunwin Cl of the Lower house

Lower house 6th May 1682— U. H. Journal 1659–98

Voted that if the Upper house prepare a Bill for opening the Trade with the Indians, and do present it to this house, this house will take the Same into their Consideration

Signed p^r^ Order Tho Grunwin Cl of the Lower house—

David Iones,s Petition thus Endorsed Viz^t^—

Lower house 5th May 1682.

This house have had this Petition under their Consideration this Assembly on Friday last and Considered that many others have made Application in the same Nature, and no Allowance p. 404 Given, although their Losses farr greater and the Persons less able to bear it, and for that reason (amongst others) Noe Allowance then nor now Allowed to the said Iones—

Signed p^r^ Order Tho: Grunwin. Cl of the Lower house.

This house proceed to hearing the Bills before them which are Ordered to be read—The Bill Ascertaining what Damages shall be Allowed upon Protested Bills of Exchange first read and being Altered for 20 p^r^ Cent according to the Vote of this house is passed in these words Viz^t^

May the 6th 1682 Upper house have Assented

Signed p^r^ Order p^r^ John LLewellin Cl of Assembly—

A Message from the Lower house by M^r^ Robert Carvile who Declares that in Answer to the Message or Vote of this house Concerning Stone horses &c. he was Commanded by their house to inform this house by word of Mouth that the Lower house never passed or Consented to any Bill before it was Drawn, but if this house would please to prepare a Bill for that purpose they would take the Same into their Consideration—He returns—

The Bill Explaining an Act concerning Port Duties and Masters of Ships next read and the further Consideration and Debate thereof referred till Monday Morning—

The Bill for the Encouragement of making Linnen and Woollen Cloth within this Province read and passed in these words Viz^t^

Upper house have Assented

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Voted that the Explanation of the Lower house concerning the last Named Bill be as a Supplement to the Act Trans-

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mitted to the respective County Courts of this Province for their Government—

The Bill for Encouragement of Sowing and making Hemp and flax within this Province, read and Voted that the Explanation of the Lower house therein being Transmitted to the County Courts as in the above Vote it is Sufficient Ordered that the same be Signed by the Clerk of this house as Passed Viz^{t}—

May the 6th 1682. Upper house have Assented
Signed p^{r} Order p^{r} Iohn LLewellin Cl of Assembly.

The Message of the Lower house Delivered by M^{r} Robotham, M^{r} Edmundson, M^{r} Ennalls and M^{r} Stevens and remitted to the Lower house p^{r} Coll: Tailler to be rectified in the Date is again produced by Coll Tailler Amended and Ordered to be read Viz^{t}

6th May 1682 Lower house of Assembly—

This house having received very Credible Information that there are very great Quantities of Skins bought up by Solomon Thomas and others the Agents of Samuel Groome and are now on board of the Ship Globe of London Captain Watts Commander to be Conveyed for England Contrary to Act of
p. 405 Assembly in that Case Provided, This House therefore Humbly request his Lordship will be pleased to Send such Officers as his Lordship shall think fitt to Search the said Ship and make Seizure of the Said Skins, and if his Lordship shall see Cause the said Watts the Commander his Doctor and Boatswaine or any others to appear before his Lordship to Discover the truth of the matter aforesaid—

Signed p^{r} Order Tho Grunwin Cl of the Lower house.

His Lordship in Presence Signifying his Consent this house return answer as followeth Viz^{t} His Lordship will command the Ship to be Searched, and if any Skins found Seizure to be made accordingly as desired—

Signed p^{r} Order John LLewellin Cl of the Assembly—

Which together with the Three foregoing Bills passed this house this Day Sent to the Lower house p^{r} Coll Stevens; Coll: Stevens returns from the Lower house

To the Honourable the Lord Proprietary of Maryland, and to the Honourable and Worshipfull the Upper & Lower houses of this Assembly

The Humble Petition of the Inhabitants of Calvert County Humbly Sheweth

That whereas Your Lordship in the year of Our Lord 1669 did Sett forth Your Lordships Proclamation Commanding that Convenient Places in evey County within this Province should be laid out for Towns for the encouragem[t] of Trade within this Province, upon which Proclamation one William Berry of Battle Creek in Calvert County did apply himself to your Lordship & humbly besought Your Lordship that Twenty Acres of Land part of a Tract of Land Belonging to him the said William att Battle Creek aforesaid might be appointed for Town land for that part of the said County, and did then promise to your Lordship that he would Convey and Settle the Same as your Lordship should Direct for the use and to the intent aforesaid, Whereupon Your Lordship did by a Warrant under your hand and Seal Command Charles Boteler the then Deputy Surveyor of the said County to Survey and lay out Such Land as W[m] Berry should bestow for the use of the County to the intent aforesaid as by the said Warrant hereunto Annexed more at large appeareth, which Command of your Lordships being performed by the said Deputy Surveyor in the presence and by the Advice of the said William Berry, Severall Inhabitants of the said County being thereto encouraged by your Lordship and in Confidence of the Performance of the said promise of William Berry made as aforesaid did Build & Erect Several Dwelling houses and Store houses upon the said Twenty Acres of Land and from that time have continually Resided there, and also the Commissioners of the said County finding the said Town Land to be in the Centre of the said County, and the most Convenient place for holding the Courts for the said County, did order and appoint the Court house and Prison to be Built upon the said Land which being finished to the Charge of the said County Two hundred thousand pounds of Tobacco, and the said William Berry now finding the said Land to be much improved as well by the Buildings aforesaid as also that the Creek aforesaid is grown a Considerable place of Trade by reason of the great Resort of the Inhabitants of the said County to the Same, and Coveting the Improvements made thereupon as well by the County in General as by the Particular Inhabitants, having been often thereunto Moved as well by Your Lordship as others therein Concerned hath and doth utterly Deny to make any Tittle or give any Assurance of the said Land to the use aforesaid, to the Manifest Damage of the whole County, and to the ruin of Severall Persons who have Spent their Estates in Settling themselves there

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Therefore your Petitioners humbly pray Your Lordship and the Upper and Lower houses of this Present Assembly, that the said Twenty Acres of Land may be so Settled by Some

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Law or Act of this Assembly, that as well the Inhabitants of the said County in General as the particular Persons which have built houses thereupon may be assured of their Lotts upon which they have Built according to the first intendment— And as in Duty bound they shall ever pray &c.

Read and Ordered to be sent to the Upper house
Thos Grunwin Cl of the Lower house of Assembly.

Annexed to the foregoing Petition was this following Warrant Vizt—

These are to Impower You to lay out the Town Land which I understand William Berry has bestowed in Battle Creek for the use of this County, you are to lay it out into So many Lotts that Convenient Streets be left of Sixty foot in Breadth, that the Benefit thereof may be equally to every one that shall take such Lotts as the Division you make shall admitt of, leaving by the Water Side a Street of one hundred foot Wide; when the Land is so laid out, Such as will Build out of hand may have the greatest Lotts, and when you have Certified their Desires herein, and that William Berry has Conveyed the Land to the Lord Proprietary for the Countys, use, I shall then Grant Patents under the Seal to those that Build, to them and their heirs for ever hereby Empowering you to keep a Register and Record hereof for all which this shall be Your Warrant Given under my hand and Seal this 27th August 1668— Charles Calvert—
To Charles Boteler Depty Surveyor

Upper house 6th May 1682

Ordered that Michael Tawney William Berry and Major Boteler Personally appear before this house; and Produce as well the Certificate and Plotts taken for the said Berry by the said Boteler, as also the Certificate and Pott Since taken and made for the said Tawney for the Perusall and better Information of this house—
Signed pr Iohn LLewellin Cl of the Assembly—

Coll: Vincent Lowe sent to the Lower house to know of them when they Intended to send out the Members of their house, Committees for Indian Affairs, whether before or after the Provincial Court, and to desire the leave of that house for the Attorneys that are Members thereof to attend the Court, Coll: Lowe returns with Answer that the Members Committees of the Lower house are now Coming forth—

Ordered that the Members of this house make ready to Ioin in Committee with them. U. H. Journal 1659–98

The house Adjourns till Monday Morning 8 a Clock—

May the 8th 1682 Upper house mett p. 407

Present

The Right Honourable the Lord Proprietary

The Honourable

Philip Calvert Esq[r] Chanc[r]
William Calvert Esq[r] Secr[ry]
Coll Thomas Tailler—
Coll Vincent Lowe—
Coll: William Stevens

Bartholomew Watts Commander of the Ship Globe, Francis French his Chyrurgeon and Thomas Norcott his Boateswaine being Summoned make their Appearance in this house and their Examination taken as followeth Viz[t]

Upper house 8th May 1682—

Bartholomew Watts Commander of the Ship Globe of London according to Summons makes his Appearance, and is Charged for buying or receiving on Board his Ship Severall Deer Skins raw and Drest which upon Examination he doth utterly Deny to have any on Board his Ship to his knowledge—

Francis French Chyrurgion upon Oath Examined Saith that there is not to his knowledge on board the said Ship Globe one Deer Skin drest or undrest for Account of Solomon Thomas or any other person whatsoever, but there are on Board Some furrs which are now to be Seen on board by any—

Thomas Norcott Boateswaine upon Oath Examined Saith that he knows not of any Deer Skin on Board the Ship Globe for any Persons Account whatsoever

Signed p[r] Order p[r] John LLewellin Cl of the Assembly

The above Examination together with Bartholomew Watts, Francis French and Thomas Norcott the Deponents sent to the Lower house p[r] Coll: Lowe who hath in Charge given him to advise that house, that this house had proceeded therein so farr as they could, & for Satisfaction of the Lower house had sent them the Depositions taken, by which it doth not appear to this house that Watts is Chargeable with Breach of the Act in that case Provided, neither hath it been particularly charged (as this house conceives by the Informations upon Watts but upon some other persons who had Dealt for Severall Quantitys of Skins but that they were put on Board his Ship no positive proof—

Coll: Lowe having Delivered his Message returns again into this house—

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Came Mr Carvile and Captain Brandt from the Lower house and present to this house a Petition Exhibited by Ioseph Tilley Complainant against George Parker craving a hearing before the Assembly and that Council may be Assigned him to Manage his Cause—

They also request the Articles of Peace made with the Pisscattaway Indians Anno 1666 for the perusall of their house—

Ordered that the Same be Searched for and Transmitted to the Lower house by a Member of this house; They return to their house

Joseph Tilleys Petition read and Ordered that Mr Parker against whom the Complaint is Exhibited be called into this house to Satisfie this house whether the Persons Named in the Petition for the Petitioners Council have been retained by him or made privy to his Business—

p. 408 Mr Parker called in and to the Querie of this house, as above makes Answer that those Persons Named in the Petition for the Petitioners Council were never Employed by him, So cannot prejudice him in that case, he only Craves that the same may not come illegally before this house; he is Dismissed

The said Petition was thus Endorsed Vizt

Lower house 6th May 1682—

This house have read the Petition within written, and do recommend the Same to the Consideration of his Lordship and the Upper house that there be Councill Assigned him to State his Case in Order to the hearing his Grievance in the Assembly

Signed pr Order Thos Grunwin Cl of the Lower house.

and thus Answered Vizt/ Upper house 8th May 1682

Let the Persons Named in the Petition for Council to be Assigned the Petitioner State the Case so as to make appear and Satisfie this house how it may properly and Legally come before them, and then this house will take the Same into their Consideration Voted that Mr George Parker go with Coll: Stevens to the Lower house with this Message, and that the Lower house be desired to Intimate to this house what time the State of the Case may be prepared, that Mr Parker may also have Liberty to hear the same, and make his Defence thereto,—

Signed pr Order pr Iohn LLewellin Cl of the Assembly.

Brought into this house by the Clerk the Articles of Peace made with the Pisscattaways Anno 1666 and Confirmed 1670, and Sent together with the Petition of Ioseph Tilley to the Lower house by Col Tailler & Coll: Stevens, as also the Articles last made with the Emperor Assateage and the Eastern Shore

Kings being Entered in the Council Book which Coll: Stevens is Ordered to read to the Lower house and bring back the Book with him U. H. Journal 1659-98

A Message from the Lower house by Coll: William Burges, and Richard Hall, they say that the Lower house is not well Satisfied with the Depositions Sent them concerning their information against Watts but humbly desire that the Ship may be Searched and Some of the Letters broke open for a further Discovery and that if thereupon no further Discovery be made his Lordship would be pleased to require good Security to make Good the Penalty in the Act Provided in case any thing hereafter shall be proved which they hope to Do, besides both the said Watts and his Doctor and Boatswaine do acknowledge five hides on Board which they say is a breach of the Act—

Jn Answer whereunto this house will Consider; They return to their House/

Upper house 8th 1682—

The Lower house is desired to Explain in Writing to this house their last Message by Coll: Burges and M^r^ Richard Hall that this house may regularly proceed in Complying with the request of the Lower house.

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly. p. 409

Coll: Tailler and Coll: Stevens returns from the Lower house
Coll: Lowe sent with foregoing Message to the Lower house

Upper house May the 8th 1682

This house desire to be informed from the Lower house at what time their Committee for inspection of the Laws may Conclude, to the end this house may appoint a Committee to Examine and Consider what shall be therein done before it be Offered for the result of both houses—

Signed p^r^ Order p^r^ Iohn LLewellin Cl of the Assembly.

Sent by Coll: Stevens to the Lower house who craves leave for Some time to write a Letter or two to send away which is granted him—

Coll: Lowe returns from the Lower house says they will Send an Answer to the Message Sent by him by a Member of their own—

William Durden of Baltimore County by his Petition Complains against Iames Thompson Sub:Sheriff to Cap^t^ Iohn Stansby high Sheriff of the said County for taking away two hhds of Tobacco breaking open his Tobacco house Door and exposing about twenty Bushells of wheat to be Destroyed by

U. H. Journal 1659-98

the Hoggs to the great Damage of the Petitioner, Alledging that the said Thompson Confess[d] the taking away the two hogsheads of Tobacco before Michael Iudd and Rob[t] Bengor ready to Attest the Same, prays relief in Behalf of his Lordship and himself according to Act of Assembly in that Case provided—

was thus Subscribed Viz[t]

Upper house 8th May 1682

The Petitioner hath his remedy at Law either in the Provincial or County Courts as to him shall seem Meet—

Signed p[r] Order p[r] Iohn LLewellin Cl of the Assembly

A Message from the Lower house by Coll: Burges and M[r] Hall in writing which they Deliver and M[r] Hall saith he is Ordered by their house to remind this house of the five hydes Confest by Watts &[t] which they Conceive to be a breach of the Act They return to their house

The Message in Writing Ordered to be read Viz[t]

Lower house 8th May 1682

The Message by Coll: Burges and M[r] Hall to the Upper house concerning Hides and Skins, this house doth thus Explain; that they have been very Credibly Informed that great and Considerable Quantities of Goods have been this year sent into this Province by Samuel Groom to Solomon Thomas & Stephen Demard Inhabitants of this Province which were only fitt for the Indian Trade, also that these persons have purchased great Quantities of Skins &c: and without doubt intend or have Shipped them aboard the Globe or Some other Ships, for it cannot be thought they have purchased them to keep them here, this house therefore request that the Letters of the said two factors may be Opened, or if that may not be, that the Master of the Globe may be Caused to give Security to Answer the Penalty of the Act against Transportation of hides if the breach thereof be hereafter proved ag[t] the said Master—

p. 410 Signed p[r] Order Tho[s] Grunwin Cl of the Lower house.

The Secretary is Ordered to go to the Committee for Inspection of the Laws and to Demand of them the Book of Laws—

Which he doth and brings the Book into this house

The Act against the Transportation of Hides Skins &c. read

Bartholomew Watts again called into this house, and the last Vote of the Lower house by Coll: Burges and M[r] Hall read unto him—

Ordered that he give Bond to the right Honourable the Lord Proprietʸ for the Sum of one hundred pounds Sterling, that he hath not on Board his Ship neither will receive or take on Board the Same any Deer skins or Hides Drest or undressed this present Voyage neither will Export any Such out of this Province this present Voyage, that in case the Same be proved hereafter against him his Bond Shall be forfeited; he Submitts thereunto and is willing to Enter into Such Bond— U. H. Journal 1659–98

His Lordship is pleased to take care to see the same effected—

Bartholomew Watts & Company are Dismissed the house—

A Message from the Lower house by Coll: George Wells and Captain Jonathan Sibrey which they Deliver and return to their house being as followeth Vizᵗ—

Lower house 8th May 1682

This house will give information to the Upper house when the Committee of Laws have made their report, that the Upper house may appoint a Committee to consider of what is offered concerning the Inspection of the Laws before any thing Offered for result of both houses—

Signed pʳ Order Thoˢ Grunwin Cl of the Lower house

John Prior called into this house he is charged with buying of Skins himself and Employing Iames Smallwood and others to buy Skins of Indians contrary to the Act of Assembly in that case made and Provided; Ordered that the information and Severall Depositions thereto relating be read unto him Vizᵗ

Dennis Huscula of Sᵗ Maries County Planter informs that living about five Miles from the place where one Iohn Prior Merchant of London keeps Store, of late he hath seen Several Indians pass by his house with Bundles of Deer Skins who told me that they had sold these Deer Skins to the aforesaid Merchant, and further informs that his house being within four Miles of the Indian Town Zachaiah and hath often Occasion to have Conference with the said Indians, and more especially of late to the intent to Buy Deer Skins to Supply my great Necessity for Cloathing, have been told by the Indians that all the Deer skins they have had of late they have Sold and disposed of to one Iohn Prior the aforesaid Merchant, and to one Iames Smallwood for the said Merchants use, which he presumes to be Contrary to the Act of Assembly in that Case provided and greatly to the Hinderance of the Inhabitants who are hereby prevented from buying Deer skins of the said Indians the only hopes of Cloathing Ourselves this Scarce year of Goods

U.H. Journal 1659–98 p. 411

Also Edward Turner Informs that having Conference of Late with the Doctor of Captain Harris,s Ship he the said Doctor told this Informer that he Saw the aforesaid Iohn Prior buy Deer Skins of the Indians at Westwood house.

The Examination of Dennis Huscula of S[t] Maries County Planter taken upon Oath made before his Honour the Chancellor this 5[th] Day of May 1682 by me Thomas Burford Attorney Generall as followeth—

The said Dennis being asked what he knew, and urged to Declare the whole of what he could say concerning Iohn Prior Merchant his purchasing of Skins of Indians or others Saith—

That he hath often been lately among the Indians, to buy skins of them, they did inform this Examinant that all they could gett they had lately Disposed of to s[d] Iohn Prior Merchant that keepeth Store at Westwood and to one Iames Smallwood of Charles County, and that this Examinant heard Captain Iames Bowling say that he heard M[r] Mudd say that he had seen Skins at Westwood Store—

Tho[s] Burford Att[y] Gen[ll]. Dennis the mark of × Husculough

The Examination of Patrick Innes Chirurgion of Captain Harris Master of the Ship Gerard now lying in Wicocomoco taken this 5[th] of May 1682 upon Oath before his Honour the Chancellor by me Thomas Burford Attorny Generall

Imp[rs] the said Jnnes being asked what he knew of one Iohn Prior Merchant now Residing at Westwood in S[t] Maries County concerning his buying of any Deer Skins of the Indians or others or what he said thereof to one Edward Turner—

Answered that he never Spoke to said Turner any word or Syllable concerning any Skins bought by said Prior of Indian or Indians nor directly or indirectly knoweth of any Such thing nor any for his use; and further knoweth not.—

Tho: Burford Att Gen[l] Patrick Jnnes

The Examination of Thomas Gerard Gent: taken upon oath made before his Honour the Chancellor the 5th of May 1682 by me Thomas Burford Attorney Generall as followeth

Imp[rs] the s[d] Thomas Gerard being asked what he knew concerning any Skins bought by one Iohn Prior Merchant now residing at the house of Said Gerard at Westwood of any Indian or Indians or others or by any other person for said Priors use—

Answered that he never saw him buy a Skin this Voyage of any Indian nor he never bought any for him, nor doth he know of any other Person that hath bought for said Priors use, nor knoweth any thing concerning the premisses

Tho[s] Burford Att Genl. Thomas Gerard—

John Prior utterly denys having bought of any Indians or others any Deer Skins this Voyage or having Employed any Person for that Purpose neither hath he any Deer Skins att all Save only two which an Indian gave him, with one of which he intends to Cover his Chest, and the other he took the hair of to Stuff his Saddle with— U. H. Journal 1659–98

He is referred to his further Examination in the Lower house to whom the Severall Examinations and Depositions aforegoing are Transmitted by his Honour the Secretary with this following Message in writing Viz^{t}—

Upper house 8th May 1682

This house have herewith Sent to the Lower house all the Examinations taken against M^{r} Iohn Prior for their perusall and desire the Lower house to Signifie to this whether or no they Expect said Prior to give Bond as hath been required of Watts—

Signed p^{r} Order p^{r} John LLewellin Cl of the Assembly.

John Nicholls of Baltimore County by his Petition Exhibited prays relief against Captain Iohn Stansby high Sheriff of Baltimore County for taking in Execution three hhds of Tobacco of the Goods of him the said Nicholls for fees &^{t} without rendering him an Account Contrary to Act of Assembly in that Case made and Provided, was thus Subscribed Viz^{t}

The Petitioner hath his remedy at Law either in the Provincial or County Courts where he shall think fitt—

Signed p^{r} Order p^{r} John LLewellin Cl of Assembly.

A Bill for Naturalization of Iohn Alward of Charles County an Alien read and passed this house in these Words Viz^{t}—

May the 8th 1682 Upper house have Assented

Signed p^{r} Order p^{r} Iohn LLewellin Cl of Assembly.

The Bill Explaining an Act Concerning Port Duties and Masters of Ships and the result of this house thereupon referred till Such time as the Committee of this house shall have inspection into the Laws—

The Bill for Naturalization of Iohn Alward, and that for Naturalization of Mathew Eareckson and Albert Iohnson with the Assent of this house thereto Subscribed, both sent to the Lower house by his Honour the Secretary—

The Severall Papers relating to the Information against Iohn Prior Merchant are brought back from the Lower house by M^{r} Kenelm Cheseldyne and M^{r} William Hatton and deliv-

U. H. Journal 1659–98

ered in this house, Together with a Bill Entituled an Act for the Better Security of Orphans Estates.

The Papers relating to Prior they say have past the Examination of their house and they referr the further Consideration thereof wholly to this house to do therein what they shall See fitt: They return to their house

His Honour the Secretary returns from the Lower house

The Bill Prohibiting unreasonable Tares of hogsheads and for punishing false Package of Tobacco again taken into Consideration by this house and the result of this house Drawn up as followeth to be Transmitted to the Lower house Viz^{t}

Upper house of Assembly 8th May 1682

This house have again taken into their Debate the Act by them drawn up Prohibiting unreasonable Tares of Hogsheads &^{t} as conceiving the Designe thereof to be of great Moment and Concern to this Province and upon due Consideration

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thereof had do think fitt to amend the Same Viz^{t}

1st The Tares of Hogsheads not to Exceed 90 ^{ll}

2 The Penalty laid on false package in manner as the said Bill doth Express being (besides the loss of the hogshead of Tobacco so false packed) the forfeiture of one thousand pounds of Tobacco, This house also think too grievous, and do propose in stead thereof the loss of the hhd to be burnt as aforesaid and four hundred pounds of Tobacco more forfeiture—

3 That for Evidence in Such Cases this house think it unreasonable the Merchant himself or Person to whom the Tobacco is due should be allowed of as Witness for himself; but do conceive that the Receiver or party Employed to receive the Same together with one more not Interested may be good Evidence—

4 That the Draughts taken out of the hogshead by the Receiver shall forthwith be carried before two of the next Iustices of the County and proved before them by the Oaths of the Receiver and one more as aforesaid, which shall be Sufficient to Convict the Party Delinquent—

5 That if the Breach of this Act shall appear to be Committed through the Wilfullness Remisness or Negligence of the Overseer or other hyreling, Such Overseer or hyreling shall make Good the Damages Sustained by the Owner out of his own Crop or other his own private Estate, So farr forth as the Same will amount to, and if done by a Servant or Slave he shall receive Corporall Punishment for the Same at the next Provincial or County Court according to his Meritt at the Discretion of the Iustices

With these Amendments this house think reasonable to pass the Bill, and Desire the Lower house to Concurr— U. H. Journal 1659–98

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Iohn Prior called into the house, and this house not having found any positive Proof or Circumstance against him; neither hath any appeared to the Lower house (as this house conceive by their last Message) he is Dismissed without further Trouble—

Adjourn till to Morrow Morning 9 a Clock

May the 9th 1682 Upper house met

Present

The Right Honourable the Lord Proprietary

The honourable

Philip Calvert Esq^r^ Chan^r^
William Calvert Esq^r^ Sec^ry^
Coll Thomas Tailler
Coll: Vincent Lowe—
Coll: William Stevens

Michael Tawny and Major Charles Boteler according to Summons make their Appearance—

Major Boteler Examined and required to inform this house what he knoweth concerning the Town Land at Battle Creek, Saith that the same had been always taken and Esteemed to be the Land of William Berry and that what he had done in laying out thereof and erecting the same into a Town was done in the Presence and by the Advice of William Berry which the People Inhabitants thereof who had been thereby encouraged to Build and Seat thereon well hoped had been a Sufficient reserve from all future Surveys—

Michael Tawney declares and freely Offers that what part soever of the Tract by him lately taken up shall be found to be within the Bounds of the Town Land he is willing to relinquish his Claim thereunto although without the Lines of Berrys Land and will be Content to take a Certificate if any without Berrys Lines and not within the Town Land, which he humbly Craves he may have the Benefit of: which this house think but reasonable, & Order as followeth Viz^t^ p. 414

Upper house of Assembly May the 9th 1682

Ordered that Major Charles Boteler and M^r^ Robert Iones together lay out the Lines of William Berrys Land According to the due Courses and Distances mentioned in his Patent thereby to Discover what Land is left Betwixt that and the Creek; a true Plott whereof, and of the said Berrys Land laid out in Presence of the Inhabitants of the Town to be Certified to his Lordship and Council with all Convenient Speed.

U. H. Journal 1659–98

Ordered also that William Berry attend and be present at the laying out thereof; And that the Twenty Acres allotted for the Town be also then laid out after the other two—

Signed p^r Order p^r Iohn LLewellin Cl of Assembly

Adjourn till two a Clock afternoon

Afternoon two of the Clock

Upper house mett present as before in the Morning

A Message from the Lower house by Coll: Burges, M^r Cheseldyne, M^r Hatton Captain Ladd, Captain Coode, Major Wicks, M^r Clement Hill, and M^r Iohn Rousby. and is contained in the following Paper which they delivered and returned being Desired to acquaint their house that this house resolved to Adjourn for an hour his Lordship having required their Attendance in Council for the hearing of Petitions—The paper read Viz^t

Lower house of Assembly 8th May 1682

This house after Long and Serious Debate about the Indian affair recommended by his Lordship to the Consideration of this house at the opening of this present Sessions of Assembly Do humbly advise his Lordship Viz^t

1^st That his Lordship appoint one Member out of each house as Agents for this Province to go to the Government of New York, and there to treat with make and Confirm a League of Peace and Amity with all the Northern Indians if Possible, and that in their treaty with the said Indians they endeavour to put an End to the Warr between the Said Northern Indians and the Pisscattaway Indians, and make peace for or between them, and the Several Nations on the Eastern and Western Shores—

2 That peace and Amity be Continued between us and all Our Neighbouring Indians, and a fair and Accustomed Correspondence held with them, in Order to which that his Lordship Supply them out of the publick Magazine with Powder and Shot against their Indian Enemies untill the return of the aforesaid Agents from New York aforesaid

3^d That in Case the Northern Indians make any inroad or
p. 415 Invasion into this Province, or offer any Violence or Act of Hostility to the Inhabitants thereof Then his Lordship so Soon and as often as to him shall seem meet do Supply the Pisscattaway and any other friend Indians with Arms Ammunition and Men in Order to their and Our Defence against the Northern Indians—

4 That frequent Musters be Continued in the Several Counties within this Province, as Likewise the Commissions and Instructions given the Military Officers for a Defensive Warr against the said Northern Indians, till return of Our Agents and longer if peace be not by them Concluded with the said Northern Indians U. H. Journal 1659–98

5 That his Lordship give Notice to the Pisscattaway Nantecoke and Choptank Indians, and as many more of Our Neighbour Indians as his Lordship shall think fitt, of the going of Our Agents, That the Indians may likewise Send Some Agents, & See our endeavours to make peace for them, and by whom the peace may be ratified and Confirmed on their part.—and hereto desire the Concurrence of the Upper House—

Signed p^r^ Tho^s^ Grunwin Clk of the Lower house—

Adjourn for an hour to the Council—

Upper house again mett present as before

Severall Bills brought from the Lower house by M^r^ Clement Hill and William Richardson Viz^t^—

A Bill for Naturalization of Iacob Looton an Alien

A Bill for reviving of certain Laws which they say hath not been read in their house, but is first Sent up to this house for their perusall—

They return to their house—

The Bill for Prohibiting unreasonable Tares of hhds &c: and the Amendmts thereof drawn up by this house sent to the Lower house by his Honour the Secretary; The Secretary returns from the Lower house—

The Bill explaining the Act for Port Duties and Masters of Ships again read and Debated in this house and the result of this house thereupon drawn up in Answer to the last Message from the Lower house touching the Same as followeth Viz^t^—

Upper house 9th May 1682.

The Act Explaining an Act concerning Port Duties &^t^ this house have taken again into their Consideration and in reply to the last Message of the Lower house touching the Same do Say.

That all Ships or Vessells built within this Province whose owners are all Inhabitants of this Province, or Ships or Vessells bought by and properly and wholly Belonging to owners Inhabitants of this Province Shall during Such their Qualification be Exempt and free from paying the 14 ^d^ p^r^ Ton, which this house take only for Port Duties, and conceive will fully Answer the Intent of that Act concerning Port Dutys and

U. H. Journal 1659–98 p. 416

Masters of Ships, but for the Officers fees for Entering and Clearing Ships and Vessels, by taking Bonds, Copies of Certificates, and Cocketts giving Licences of Trade and Dispatches which the Acts of Parliament of England have Empowered upon this and all other Governments within his Majestys Dominions, This house cannot think Reasonable to cutt them of; which is the Sense of this house, and which being accordingly Explained in the Bill this house will pass the Same

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

Adjourn till to Morrow Morning 9 of the Clock

May the 10th 1682 Upper house mett

Present

The Honourable

{ Philip Calvert Esq^r^ Chan^r^ } { Coll: Vincent Lowe }
{ William Calvert Esq^r^ Sec^ry^ } { Coll: William Stevens }

The Bill allowing Trade with the Indians drawn up read and passed this house in these Words

Upper house have Assented

Signed p^r^ Order John LLewellin Cl of Assembly—

The Bill for Reviving the Temporary Laws of this Province Ordered to be read; read accordingly and the Opinion of this house thereon drawn up as follows Viz^t^—

Upper house 10th May 1682—

The Act against Exportation of Wooll and old Iron this house conceive to be a very Necessary Law but find it wholly Excluded the Body of the Laws therefore desire it may be razed out of the reviving Act and a New Written to be Inserted into the Book of Laws with the rest of the Acts passed this Assembly—

The Act for Explanation of one Clause in an Act Prohibiting the Importation of all Horses, Mares, Geldings and Colts into this Province with an Addition & Amendment therein Contained in the Present reviving Bill, this house also find wholly left out of the Book of Laws, desire therefore it may be also razed out of the said reviving Bill, and a new drawn up to be likewise Transcribed into the Body of the Laws with the rest of the Acts passed this Assembly—

The Act for killing of Woolves was left out of the last reviving Law, as being (according to the Vote of the Lower

house) Perpetuated by an Act Entituled an Act for repeale of certain Laws, and also for Ascertaining what Laws are of force within this Province made Anno 1676: and therefore ought not to be taken Notice of in this reviving Bill— U. H. Journal 1659–98

Quer: Wherefore is the Act for Limiting of Actions against the Surveyor General of this Province razed out of the reviving Bill—

An Act for Appeals and Regulating Writts of Error this house are of Opinion ought to be Amended and not Revived—

These the Opinions Reasons and Queries of this house; this house Offer to the Consideration of the Lower house, and desire to be therein Satisfied before the Bill for Revivall can pass this house—

Signed p^r^ Order p Iohn LLewellin Cl of Assembly—

An Act allowing Trade with the Indians read and Ordered to be Transmitted to the Lower house with this following Recommendation Viz^t^

Upper house 10th May 1682.

The Act Allowing Trade with the Indians herewith Sent hath been drawn up in this house as was desired, the Same hath been read and Assented to by this house and now is Sent to the Lower house for their Approbation before it pass to Engrossment— p. 417

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly.

The Bill for Naturalization of Iacob Looton read and passed this house in these Words Viz^t^

May 10th 1682 Upper house have Assented—
Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly—

Ordered to be read the Act for the better Securing of Orphans Estates within this Province—which was Accordingly done and the Opinion of this house thereon drawn up as follows Viz^t^—

Upper house 10th May 1682.

An Act for the Better Securing Orphans Estates within this Province read and thereto this house do Say that—

Since no Legacy is payable before all Debts paid, and for that reason it cannot appear what is due unto any Orphan untill Such time as the Exec^r^ hath Accounted with the Ordnary, This house desire it may be explained in the Law at what time the County Courts shall call for Security for this Orphans Estate; Since if the Executor shall be bound imme-

U. H. Journal 1659–98 diately upon his taking out Letters Testamentary to give Security it is the Same thing to force him to give Security before he take out Letters Testamentary as Administrators do upon their taking out of Administration

Signed p^r^ Order p^r^ Iohn LLewellin Cl of Assembly—

Sent by his Honour the Secretary to the Lower house these following papers v^t^

The Bill for Naturalization of Iacob Looton

The Bill for Explanation of the Act concerning Port Dutys &^t^

The Bill for Allowing Trade with the Indians—

The Bill for the Better Securing of Orphans Estates &c.

Together with Severall Votes of this house thereon; and also the Articles of Peace made in Virginia with the Indians there which the Lower house (so soon as they have perused them) are desired to return again to this house.

Coll: Tailler Enters the house

His Honour the Secretary returns from the Lower house

He is again Sent to the Lower house with the following Message Viz^t^

Upper house 10th May 1682

The Lower house are desired to Signify to this house whether they will permitt the Attorneys Members of their house to come and Argue the Errors here depending in this house to Morrow, if so this house will resolve then to hear the same otherwise will appoint another Day—

Signed p^r^ Order John LLewellin Cl of Assembly.

His Honour the Secretary hath in Charge to desire the Answer of the Lower house to be Signified to this house in Writing by a Member of their own

The Secretary returns from the Lower house and Saith they will Send an Answer p^r^ a Member of their own as is desired—

The ruinous Condition of the State house taken into Consideration by this house and Voted that the Lower house be

p. 418 moved to Ioin in Concurrence With this house in the repaires thereof

Accordingly sent by Coll Lowe to the Lower house this following Message Viz^t^

Upper house 10th May 1682

Taking into Consideration the Ruinous Condition of the State house (which hath been so Chargeable to the Country) Occasioned for want of Some Good Carefull and Skillfull Overseer at first Appointed to Supervise the Managing and

Carrying on the Building thereof, insomuch that the Same in a Short time (if not Speedily repaired) must inevitably fall to the Ground, being already So Leaky and Decayed as will hardly Secure the Records of the Province (there kept) from the Weather, this house desire the Lower house to Consider thereof and Concurr with this house in new covering and making Such Necessary Repairs thereof as may render the Same usefull and Serviceable for the Country and in making a Partition at the Stair foot, that both houses of Assembly may there meet, without which repairs and Partition, the Records of the Province must inevitably Suffer the next Winter, and the Assembly put to the Same Inconveniency the next Sessions they now meet with— U. H. Journal 1659–98

Signed p^r^ Order Iohn LLewellin Cl of Assembly—

Captain Randolph Brandt from the Lower house Delivers this foll: Message Viz^t^ in Writing—

Lower house 10 May 1682

This house are willing to permitt Such Members of this house as are Attorneys to be Absent from this house to Morrow for Arguing the Errors in the Assembly—

Signed p^r^ Order Tho: Grunwin Cl of the Lower house

Captain Brandt also desires to know how long this house intended to to Sitt for that they were preparing Some Business in their house for the Consideration of this house—

To which he is Answered that this house intend now to Adjourn—

He returns to the Lower house

Coll Lowe returns from the Lower house and

This house Adjourns till to Morrow Morning Seven a Clock.

May the 11th 1682 Upper house mett.

Present

The honourable.

Philip Calvert Esq^r^ Chan^r^	Coll: Vincent Lowe
William Calvert Esq^r^ Secr^ry^	Coll: William Stevens
Coll: Thomas Tailler	William Digges Esq^r^

Ordered to be read the Message of the Lower house of the Eighth Instant Touching the Indian Affaires, this house are of Oppinion that it is unsafe to carry Indian Agents with Ours to Fort Albany or New York if Our Agents be not perempto-rily Instructed not to make Peace unless we can include Our Neighbour Indians; Because when Our Neighbour Indian

U. H. Journal 1659–98 p. 419

Agents shall See we make peace for Ourselves and Abandon them, they will and ought in Prudence to make Articles for themselves Seperate from us, and upon their Submission to the Enemy will be Admitted to become one Nation with them, and that will be Our ruine, and therefore this house still insist upon that Point that Our Agents be peremptorily Instructed not to make any Peace with the Northern Indians without Including therein all Our Neighbouring and friend Indians—

Signed per Order p^r^ Iohn LLewellin Cl of Assembly.

Severall Bills from the Lower house by M^r^ Robert Carvile and M^r^ Iohn Rousby Viz^t^—

For Encouragement of Sowing and making hemp & flax within this Province—

For the Encouragement of making Linnen and Wollen Cloth &c:

For Encouragement of Tillage &^t^ all past both houses & with them this foll Message V^t^

Lower house 11th May 1682

This house have taken into Consideration that the Encouragement would be the More if the Bills for Sowing and making hemp and flax, and making Linnen and Woollen and for Encouragement of Tillage and raising Provisions being three Bills were made certain for three years and not to Determine upon the Next Sessions of Assembly; This house have therefore Voted that the said three Bills shall be certain for three Years and not to Determine upon the next Sessions; and desire the Concurrence of the Upper house

Signed p^r^ Order Tho: Grunwin Cl of the Lower house of Assembly

Jn Answer to the Votes of this house Concerning the Reviving Act and other Bills Sent them by his Honour the Secretary they have in Charge from their house to acquaint this house that

As concerning the Act of Revivall Jt is the desire of the Lower house that the Act for Killing of Woolves may be reduced to Statu quo prius and so be made Temporary, That for Explanation of a Clause in the Act prohibiting the Importation of Horses, Mares &c: and that against Wooll and old Iron if the same be fairly Transcribed into the Book of Laws and Mentioned in the Reviving Act they humbly Conceive may be Sufficient without Drawing the same de novo to be passed into an Act this Sessions The Act for Limitting of Actions against the Surveyor General the Lower house did conceive was too Narrowly Stinted, Six Months (for Severall reasons by them

Alleadged) too Short a time allowed for Persons Grieved to Seek their redress but desire it may be Extended to the Space of two years, for which reason only they left it out of the Act of Revivall not thinking fitt to revive it as it then stood for the reasons aforesaid Conceiving also the Surveyor General to fall within the Compass of the Act for Limitations of Actions within this Province— U. H. Journal 1659-98

Touching the Act for the better Securing of Orphans Estates the Sense of the Lower house is that, that as it is now drawn, is Sufficient, it being in the Power of the County Courts to call to Account and the Lower house did Conceive they might be so discreet as not to call out of Season.

And for the other Act concerning Port Duties & Masters of Ships &ᵗ they say that they think the Quality of the Ships or Vessells Intended by that Act is Sufficiently therein Expressed by the Words / properly belonging To this Province without any further or other Addition, and did Conceive ten Shillings p. 420 a Sufficient fee for Entering or Clearing any Ship or Vessel, And as for the Kings Officers they knew not what fee was due to them upon that Accoᵗ neither did they Concern themselves therewith—

Mʳ Carvile and Mʳ Rousby having thus Delivered their Message return to their house—

The Opinion or Answer of this house to the Lower houses Advice to his Lordship in relation to the Indian Affair Sent by Captain Digges to the Lower house, he hath in Charge also to know of that house whether they will permitt the Attorneys to come and Argue the Errors in this house Depending all of them throughout or not—

Capᵗ Digges returns from the Lower house & reports that they will Send an Answer—

Mʳ Robert Carvile and Mʳ Kenelm Cheseldyne Sent from the Lower house to lett this house Know that their house had Sent them as Attorneys Concerned in the Errors Depending now to Argue the same Provided they may be Dispatched this Day for no longer may they be Spared by their house

Jn Answer to which this house return that they cannot Possibly Dispatch all this Day and are willing to go through with what they can if it might be convenient but do think they cannot Determine above two and then the parties concerned in the rest unheard will Complain of which they are desired to acquaint their house—They go accordingly and return with Answer that this Day and no Longer their house will Spare them

Put to the Vote in this house whether this house shall proceed to the hearing of Some of the Errors unless they can hear them all or not

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The Just Cause of Complaint that those Persons will have that cannot come to a hearing as well as the rest, and the Obstruction of hearing of any will be to the Publick Business Considered it is Voted in the Negative that this house will not hear any, and this house will Accordingly Advise the Lower house by a Member of this house—

Mr Carvile and Mr Cheseldyne return to their house

Mr Smith from the Lower house he is to acquaint this House that their house is now Setting out a Committee for Accounts that Some Member of this house (if this house think fitt) may be Appointed to Ioin with them: He returns to the Lower house—

The Honourable the Secretary Sent to the Lower house to let that House know that unless they will Spare the Attorneys Members of their house concerned in the Errors Depending in this house to come and Argue the Same fully all of them be the time two or three days or longer this house are resolved to hear none att all this Sessions=The Secretary returns Ordered to be read the Act for Reviving certain Laws &c:—

Read accordingly and Debated in this house Voted that the Act for killing Woolves being made Perpetuall by the Act
p. 421 for Ascertaining of what Laws are of force within this Province &t cannot be repealed but by Consent of his Lordship and the two houses of Assembly the Result of this house thereupon Drawn up as foll: Vizt—

Upper house 11th May 1682

Voted by the Committee of both houses November the 10th 1681 Vizt

Draw up a Bill of Revivall therein including all the Temporary Laws according to the List, Saving the Act for Killing of Woolves made the 10th of Octor 1671 which by the Act of Ascertaining what Lawes are of force within this Province Anno 1676 is made perpetuall—

By which it doth Appear it was then the Sense of both houses that this Act for killing Wolves was perpetuated, and therefore not thought fit to be included in the then Reviving Act; This house do therefore say that that Clause of that Act Ascertaining what Laws are of force &c: which relates to the Act for killing of Wolves must be first repealed before it can be reduced to its Temporary State by an Act for that Purpose

Jf therefore the Lower house will accordingly Repeale that Clause of Sd Act and Draw up another for reviving the Act for Killing Wolves, and Cause the Act for reviving certain Laws fairly to be Engrossed with Exclusion of the Act for killing Wolves this house will pass the Same—

Signed pr Order John LLewellin Cl of Assembly—

A Message from the Lower house by Cap[t] Coode and Major Wickes which they Deliver in Writing as an Answer they Say to the Message of this house last Sent them by Captain Digges—They return— U. H. Journal 1659–98

The Message read (Viz[t])

Lower house of Assembly 11th May 1682.

Jn Answer to the Message this Day received from the Upper house by Captain Digges the Lower house are of Opinion and humbly Advise that if it shall be thought Dangerous or unsafe to take and Carry Indian Agents with Such as his Lordship shall Send to Albany for the reasons Exprest in the said Message or any other, then and in Such Case this house wholly & Humbly Submitt to his Lordships prudence to do therein what he shall think requisite; and as to the Inclusion or Exclusion of Our Neighbour Indians in the intended Peace, This house leave that matter as in their former Vote.

Signed p[r] Order Thomas Grunwin Cl of the Lower house

His honour the Secretary Sent to the Lower house for the Articles of Peace Made with the Indians in Virginia He returns with them

M[r] Carvile from the Lower house Sent to desire the Answer of their house to their Bill of Revivall and other the Bills in this house

This house will Send them Answer=He returns—

A Message from the Lower house by M[r] Hatton & M[r] Iohn Hinson as foll: which they Deliver and return (Viz[t])

Lower house 11th May 1682.

This house hath Considered of the Necessity of these repaires following of the State house Viz[t] That new Tyles be laid where wanting, that the covering may thereby be made Tight, That a brick Partition be made in the Lower Room before the Stair Case, that the Ceiling be repaired where broken down That there be Benches or formes and Tables provided for the Convenient Sitting of Committees and Iuries; that this be done at the Charge of the Publick before the next fall; and that his Honour the Chancellor be requested to take the Care and Management of the said Work— p. 422

Signed p[r] Order Tho Grunwin Cl of the Lower house

His Honour the Chancellor Signifying his Consent this house replyed v[t]

Upper house 11th May 1682

His honour the Chancellor is willing at the Request of both houses to take upon him the Care and Management of

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repairing the State house which he will Cause to be Covered with Tyles where Wanting (if to be had) the Ceiling to be mended, a brick Partition to be sett up in the Lower Room, & formes and Tables for the Conveniencies of Committees and Iuries to be Provided; But the Glazing thereof as yet hath not been Taken Notice of; This house therefore desire the Concurrence of the Lower house in providing & fitting up Sufficient Glass and Lead for the Same at the Charge of the Publick also—

Signed p^r^ Order
John LLewellin Cl of Assembly.

Sent to the Lower house p^r^ Cap^t^ Digges; he returns—
The Act Explaining an Act Concerning Port Duties and Masters of Ships Taken again into Consideration Debated and passed this house as foll Viz^t^

May the 11th 1682 Upper house have Assented—
Signed p^r^ Order Iohn LLewellin Cl of Assembly—

Sent to the Lower house by Coll: Stevens who is to lett them know that this house will Dispatch the rest of the Bills before them so fast as they can He returns—
The Act for Encouragement of Sowing and making hemp and flax within this Province, and that for Encouragement of making Linnen and Woollen Cloth within this Province, both read and the Vote of the Lower house thus Answered Viz^t^—

Upper house 11th May 1682
The two Bills (Viz^t^) that for Encouragement of Sowing & making Hemp and flax within this Province, and that for Making Linnen and Woollen Cloth, This house is willing should be fairly Engrossed with Positive Termination of three Years as is desired by the Lower house—
Signed p^r^ Order Iohn LLewellin Cl of Assembly—

M^r^ Iames Frisby and M^r^ Iohn Stone from the Lower house Deliver this following Message Viz^t^ and returns—

Lower house 11th May 1682—
This house do Concurr with the Upper house that there be
p. 423 Sufficient Glass and Lead provided and fitted up at the Charge of the Publick, also that there be Wooden Shutters to the Windows the better to preserve the Glass from being broken at the Charge of the Publick and there be hooks of Iron to keep the Windows open; That the Cryer of the Court be Commanded to look Carefully after the Shutting the Windows from time to time—
Signed p^r^ Order Tho Grunwin Cl of the Lower house

To which this house Unanimously Enter their Concurrence Nemine Contradicente U. H. Journal 1659–98

Sent p^r^ Captain Diggs to the Lower house the two Bills concerning hemp and flax and Linnen and Woollen Cloth with the Opinion of this house thereupon = Captain Digges returns—

A Message from the Lower house by M^r^ Garrett and M^r^ Dashiell which they Deliver in Writing as foll: Together with the Act Allowing Trade with the Indians and return to their house—

Lower house of Assembly 11 May 1682.

This house upon Consideration of the Act Allowing Trade with the Indians Do desire the Law may pass with these Amendments

That the Tittle of the Act may be (an Act allowing the Inhabitants of this Province free trade with the Indians—

That none but an Inhabitant Living in this Province shall or may Trade with any Indians

That the Inhabitants may trade without Licence paying a Twentieth part of the furrs only to his Lordship—

That the Act Mentioned in the Bill be repealed

That there be a Proviso in the Act not to repeale or Sett a Side the Act Prohibiting Trade with the Indians for any flesh Dead or alive Except Deer or Wild fowl.—

Signed p^r^ Order Tho Grunwin Cl of the Lower house

To which this house reply Viz^t^

Upper house 11th May 1682

Jn Answer to the last Message of the Lower house p^r^ M^r^ Garratt & M^r^ Dashiel concerning Trade with the Indians, This house do first Quere how shall his Lordship be Secured of his Twentieth part unless the Trader shall be Obliged to take a Licence; and therfore do propose it be thus Expressed Viz^t^

That any Person Inhabitant of this Province that will request a Licence and give Security to pay to his Lordship as by the Act is required shall have Licence granted him for Twelve Months paying as a fee for the Same the Sum of ten Shillings Sterling, or the Value thereof in furrs or Such other Commodities as the Officer shall Accept—

That no Hydes Deer or Elk Skins &^t^ Drest or undrest shall be Exported out of this Province Contrary to an Act of Assembly in that Case made and Provided—

To the rest of the Vote of the Lower house concerning this Act This house Readily Concurr and Desire the Bill may be drawn up accordingly to that and the above Vote of this House—

Signed p^r^ Order Iohn LLewellin Cl of Assembly—

U. H. Journal 1659–98 p. 424

Came Capt Iohn Coode and Mr Henry Hosier from the Lower house sent to know whether this house thought fitt to Consider of their Bill for Encouragement of Tillage &t which they desired might be returned to them and not Lost—

In Answer they received that Coll: Taller a Member of this house was out upon the Committee for Accounts, and without him this house will Vote no Bill But are preparing for the Lower house what is already Voted; They go to their house

The Act Allowing Trade with the Indians and the foregoing Vote of this House thereon Sent to the Lower house by Coll Stevens who hath also in Charge given him to enquire there for the Bill concerning the unreasonable tares of Hogsheads and false Package of Tobacco which this house desire may be returned to them and not Lost, and also to desire the Lower house to Consider of the Message of this formerly Sent them concerning Stone Horses &c:—

Coll: Stevens returns—

Capt Randolph Brandt from the Lower house Sent to Enquire for a Bill by them Drawn up concerning The tares of Tobacco hhds & false package &c: which was delivered to him and he returns—

This house Adjourns for half an hour

Upper house again Mett

Present as before—

A Message from the Lower house by Capt Coode and Capt Smith which they deliver by word of Mouth Vizt as foll:

That their house having Long Debated the Vote of this house concerning Horses &c: could by no means Concurr thereunto for three reasons—

First Because it might not be safe to Abridge the Freemen of this Province of their Accustomed Liberty of keeping Horses untill such time as the Peace of the Province might be Sufficiently Secured from the Indians—

2 Because it would no wise lessen the Number of Horses within the Province so to do—

3 Because the Act for the Encouragement of Tillage &c: now in Suspence would fully Answer any Inconveniency therein by Employing Such horses &t

They Depart to their house.

Voted in this house that the foregoing Message of the Lower house doth not fully Answer the Vote of this house relating thereunto, they having taken no Notice of Stoned horses running in the Woods under fourteen hands high a

principle part of the said Vote, resolved that the Same be further Debated, to Morrow Morning.— U. H. Journal 1659–98

Adjourn till to Morrow Morning 9 of the Clock—

May the 12th 1682

Upper house mett according to Adjournment

Present

The Right Honourable the Lord Proprietary

The Honourable

Philip Calvert Esq^{r} Chan.	Coll Vincent Lowe
William Calvert Esq^{r} Sec^{ry}	Coll: William Stevens
Coll: Thomas Tailler	Cap^{t} William Digges

Taken again into Debate the former Vote of this house concerning horses &^{t} resolved that the Lower house be put in mind of the Main point thereof by them ommitted to be taken Notice of Viz^{t} Concerning Stone horses running in the Woods under fourteen hands high and that a Message be Sent them for that Purpose p. 425

Upper house May 12th 1682.

In Reply to the Answer of the Lower house Yesterday p^{r} Cap^{t} Coode and Cap^{t} Smith to the Vote of this House concerning Horses &c: This house do Say that the Main point therein contained hath been wholly omitted without any Notice thereof taken (Viz^{t}) That no Stoned Horse be permitted to runn in the Woods above Twelve Months old that is not fourteen hands high/which this house desire may be taken into Consideration by the Lower house and a Bill drawn up accordingly—

Signed p^{r} Order John LLewellin Cl of Assembly

Cap^{t} Coode and Cap^{t} Brandt Sent from the Lower house to desire the Bill for Encouragement of Tillage &^{t} may be returned them they likewise present to this house the two Bills for Sowing hemp and flax and for making Linnen and Woollen Cloth new drawn up according to the Vote of both houses.

This house will send them an Answer they return

Upper house 12th May 1682.

The Act for the better Securing Orphans Estates within this Province being read and taken into Consideration by this house, this house do Say that if the Lower house will consent to provide that Executors shall not be Obliged to give Security to the County Courts before such time as they have

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Accounted with the Ordnary (Debts being to be Satisfied before Legacies) and that if the County Courts shall perceive the Estate wasting or be imbezeled they will immediately give notice to the Ordnary to call the Exec^rs^ to an Account this house will then pass the Bill—

Signed p^r^ Order Iohn LLewellin Cl of Assembly—

The above Vote with the Bill thereto relating, The reviving Act and Vote of this house thereon, Together with that concerning Stone horses &c: Sent to the Lower house by his Honour the Secretary with Order to enquire what is become of the Bill concerning Tares of Hogsheads & false package &^t^

The Secretary returns and acquaints the house that they will Send an Answer by a Member of their own

The Bill for Encouragement of Sowing and making hemp and flax within this Province read and passed this house Viz^t^—

May the 12th 1682 Upper house have Assented

Signed p^r^ Order Iohn LLewellin Cl of Assembly

The Bill for Encouragement of Making Linnen and Woollen Cloth within this Province read and Passed this house Viz^t^—

May the 12th 1682 Upper house have Assented

Signed per Order Iohn LLewellin Cl of Assembly

M^r^ Clement Hill and Coll: George Wells Sent from the

p. 426

Lower house to inform This house that the Lower house is preparing a Bill to prevent the unreasonable weights of hogsheads, but in relation to the false Package of Tobacco so many Objections have been raised and Difficulties made in their house that they cannot further Consider thereof—

They also Deliver this following Paper Message and return Viz^t^

Lower house 12th May 1682.

This house have considered of the Message of the Upper house Yesterday concerning Trade with the Indians, and that his Lordship be Secured of his Twentieth part Custom have Voted that no furrs be Exported or Sent out of this Province by land or Water before Iust and true Entry made of the Same, and a Twentieth part paid to his Lordship as a Custome, If failure made of Such Entry, the Goods forfeited to his Lordship—

As also for the Act against Exportation of hides &^t^ If the Upper house Please to draw an Act according to this and also

according to the former Message Yesterday Sent by this house to the Upper house; This house will Consent thereunto— U. H. Journal 1659–98

Signed p^r^ Order Tho Grunwin Cl of the Lower house

also this following Message Viz^t^

Lower house 12th May 1682—

Jn Answer to the Upper houses Message concerning Stone horses this do conceive the Same may be a Necessary Law but desire it may be referred to the Consideration of the Next Assembly—

Signed p^r^ Order Tho^s^ Grunwin Cl of the Lower house

Coll Tailler Sent to the Committee of Accounts he hath leave of the House and goes—

Cap^t^ Ladd Sent from the Lower house returns the Articles of Peace made with the Pisscattaway Indians &^t^ Anno 1666 and Confirmed 1668 which having Delivered into this house he Returns—

Taken into Consideration by this house the Vote of the Lower house May the 11th concerning the Indian Affairs which was Ordered to be read and the Answer of this house thereto Drawn up as foll: Viz^t^—

Upper house May 12th 1682:

By the first Article of the Advice of the Lower house May the 8th Our Agents to New York are to endeavour to make peace for the Pisscattaway Indians as well as Ourselves, and in that Lukewarm Indifferency they Leave that Advice or Vote by their paper of 11th Instant—

By the 3^d^ Article of the Advice May the 8th In case the Northern Indians make any inroad or Invasion or (in the Disjunctive) offer any Violence &c: to any Inhabitants of this Province, then so soon and as Often as his Lordship Shall think fitt he shall Supply the Pisscattaway Indians with Arms &c and Men in Order to Our and their Defence—

So that if Our Agents make peace for us at New York and leave out the Pisscattaways &^t^ and immediately after their return the Northern Indians make an Inroad into this Province, his Lordship must either furnish Arms and Men to Pisscattaway, and So break peace with the Northern Indians again, or must deny Arms and Men to the Pisscattaways contrary to their own Advice 8th May and so break Articles with the Pisscattaways, and by that force them to Submitt to the Northern Indians, Show Ourselves to the Eastern Shore Indians faithless and put them upon like Submissions, and then Leave ourselves open to all Indians without Guard— p. 427

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The Better way therefore is to give peremptory Instructions not to make Peace unless we include the Pisscattaway and other Our friend Indians since we cannot imagine that the Northern Indians will ever understand the Niceity of a Peace with them, and a Liberty (that Notwithstanding) to Supply their Enimies with Necessarys as well as we may do themselves according to the Mode of the Christian Princes and hereunto this house desire the Concurrence of the Lower house or that they will offer reasons to the Contrary—

Signed p^r^ Order Iohn LLewellin Cl of Assembly.

Sent to the Lower house p^r^ the honourable the Secretary and Captain William Digges who have in charge to recommend the Same to their Speedy Consideration so as to render this house a Speedy Answer that his Lordship may be moved to make to Morrow a Day of Sessions; They return from the Lower house—

Voted that the Bill drawn up by this house prohibiting unreasonable Tares of hhds and for punishing false Package of Tobacco so soon as the Same shall be returned from the Lower house, be recorded in the Journal of this house—

A Message from the Lower house by Major Wicks M^r^ Hatton M^r^ Hosier and Captain Brandt, which they Deliver and return being as foll Viz^t^

Lower house of Assembly 12th May 1682

For Answer to the Paper this day brought by the Honourable the Secretary and Captain Digges from the Upper house, This house doth say that by the first Article of the Advice from this house May the 8th there was no Luke warm in:Diferency in their house, but their humble Advice to his Lordship that all possible Endeavours may be used by Our Agents to make Peace with the Northern Indians as well for Ourselves as Our Neighbour Indians on the Eastern and Western Shores, and if they could not procure a peace for Our selves without including the said Indians, to Obtain a peace for ourselves only was Implyed in that Advice—

As to the third Article of the Advice from this house that in case the Northern Indians make a Warr upon us, or break the peace may be made by Our Agents, It is the Meaning and Advice of this house, that in that case only the Passcattaways and other Our Neighbouring Indians be furnished w^t^ Arms &^t^ as in the said Advice and not otherwise, and for a full Answer to the aforesaid Paper from the Upper house, This house do again Vote & Advise that if Our Agents cannot possibly make a peace including Our Neighbouring Indians then that they make a peace, the Pisscattaways and friend Indians Excluded,

rather then Involve Ourselves into the Misery & certain Calamity of a Warr With the Northern Indians, To which necessity we do not Suppose Ourselves reduced so Absolutely, but that a peace may be easy had and Obtained as well for Our Neighbour Indians as Ourselves; if Credit may be given to Coll: Courseys Negotiation— U. H. Journal 1659–98 p. 428

Signed p^r^ Order Tho^s^ Grunwin Cl of the Lower house.

Adjourn for half an hour: and mett again as before.

M^r^ Robert Carvile and M^r^ Roger Woolford from the Lower house with the Bill for reviving the Temporary Laws which they Deliver to this house and acquaint this house that their house according to the Vote of this house take the Act for killing of Woolves to be perpetuall, and think fitt to meddle no further therein desiring that the same may so continue, and as for the other Acts mentioned in the Bill of Revivall and not Transcribed into the Book of Laws they are willing and desire the same may be now done—M^r^ Carvile and M^r^ Woolford return to their house

Came from the Lower house M^r^ Iohn Rousby, Coll: George Wells. Captain Ionathan Sibrey, and William Richardson, they enquire for their Bill for encouragement of Tillage &c: which the Lower house desire may be returned to them by these their Members—

To which this house return Answer, that their Message is somewhat too Peremptory and this house will further Satisfie them by a Member of their own—They return to their house—

Ordered to be read the Bill for reviving certain Laws within this Province which was accordingly read and passed in these words Viz^t^

May 12th 1682 Upper house have Assented
Signed p^r^ Order Iohn LLewellin Cl of Assembly—

M^r^ Cheseldyne sent from the Lower house to know whether this house hath any Business to Communicate to their house for if not they intended to Adjourn, Whereunto Answered None at present/ They return

And this house Adjourns till to Morrow Morning 9 a Clock

May 13th 1682 Upper house mett

Present

The Right honourable the Lord Proprietary

The Honble

Phillip Calvert Esq^r^ Chan^r^
William Calvert Esq^r^ Sec^ry^
Coll: Thomas Tailler

Coll: Vincent Lowe
Coll: William Stevens
Cap^t^ William Digges

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The Acts for Encouragement of Tillage &c:
for Encouragement of Sowing and making hemp and flax &c
for Encouragement of Making Linnen and Woollen Cloth &c:
& for Reviving certain Laws &c:—
All passed this house and Transmitted to the Lower house by the Honble the Secretary and Captain Digges together with this following Message in Writing Viz[t]

Upper house 13th May 1682—

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The Lower house (if any Business Lyes before them) are desired to Communicate the Same to this house for that this Day his Lordship intends to Conclude this Sessions—
Signed p[r] Order Iohn LLewellin Cl of Assembly.

Given also in Charge to the Honourable the Secretary and Cap[t] Digges to Demand of the Lower house the Bill drawn up by this house Prohibiting the unreasonable Tares of hhds &[t] as now it is if the Lower house think not fit to take the Same into their further Consideration—

Read this following Petition Viz[t]

To the Right Honourable the Lord Proprietary & the Honourable Council

The Humble Petition of the Burgesses or Delegates for Kent County

Humbly Sheweth

That Whereas there was an Order from Your Lordship and Council for the Iustices of Cecil County to Levy the one Moiety of three thousand three hundred pounds of Tobacco being the Charges for fetching up the publick Arms for Kent and Cecil Counties from Mattapony, in Obedience to the said Order the said Tobacco was Levyed and paid by us three years Since or thereabouts and likewise in Obedience to the said Order the One Moiety was Levyed by the Iustices of Cecil County and in the hands of Edward Inglish high Sheriff of the said County of Cecil (who refuseth to pay the same to the Petitioners

The Premisses Considered Your Petitioners humbly pray an Order that the said Sheriff shall Deliver the said Sum of Tobacco unto Your Petitioners—

And in Duty Bound shall pray—

Which was thus Answered and Subscribed Viz[t]

Upper house 13th May 1682

His Lordship doth intend to Add the Eastern Neck to Cecil

County by which Means the Arms in the Custody of Major Ringold will also be within that County, and they then have no pretence to refuse payment of the Moiety of the Charge U. H. Journal 1659–98

Signed p^r^ Order Iohn LLewellin Cl of Assembly.

The honourable the Secretary and Captain Digges return from the Lower house and—

This house Adjourns for half an hour

Mett again as before—

A Message from the Lower house by M^r^ Iohn Rousby and Coll: George Wells, which they deliver in writing as foll: & return to their house Viz^t^

Lower house 13th May 1682.

This house have sent to the upper house their Bill against false Package of Tobacco and Tare of hhds with a Bill from this house against the Abuse in the Tare of hhds and do assure the Upper house that they have had Severall and many Debates from time to time concerning false package of Tobacco and Severall Committees, and a Law drawn up by Our Own Committee, but at last could not agree of the way to remedy this abuse But do leave it to be the first thing Considered at the next Sessions of Ass^bly^ p. 430

Signed p^r^ Order Tho Grunwin Cl of the Lower house.

Ordered that the Bill drawn up by this house Prohibiting unreasonable Tares of hhds &c. be recorded in this Iournall according to the Vote of this house Yesterday Viz^t^

An Act Prohibiting unreasonable Tares of Hogsheads and for punishing false package of Tobacco—

Jt being Manifest that the great Quantities of Tobacco Planted in this Province and Our Neighbouring Plantation, and the false & Deceitfull packages of hhds which contain it Together with the Excessive Tares of the said hhds have not only Glutted all Marketts with bad Tobacco but hath wearied the Merchant out of the Trade by false package and unreasonable Tares, So that Sufficient Necessarys and Clothing for the People of this Province is not imported as formerly was usuall, To the end therefore the Quantity be Lessened, the Quality Ammended, and Consequently the Mutuall Confidence between the Merchant and Planter may restore Our Trade now ruined and Decayed; Your Lordships two houses of Assembly Do pray that it may be Enacted, And be it Enacted by the Right Honourable the Lord Proprietary of this Province

U. H. Journal 1659-98 by and with the Advice and Consent of the Upper and Lower houses of this present General Assembly, and the Authority of the Same; That from and after the Twentyeth Day of Iuly next Ensuing no Planter Merchant or other Inhabitant of this Province shall presume to false pack any Hogshead of Tobacco by putting therein, any Rotten frost bitten, Ground Leaves, or Seconds or worse Trash in the Middle or any part of the hogshead than what is in the head and plain View of the Hogshead under the Penalty of having every Such Hogshead of Tobacco So falsed Packed as aforesaid burnt by the Sheriff or other Publick Officer of the Provincial or County Courts where the same shall be Condemned And one thousand pounds of Tobacco for every such hhd, to be paid, the Moiety or One half thereof to the right Honourable the Lord Proprietary of this Province, the other half to the informer or him or them that shall Sue for the Same to be recovered in any Court of Record within this Province wherein no Essoyn Protection or Wager of Law shall be Allowed, and to the End it may be Ascertained what shall be good Evidence to prove any such fraud in false Packing as aforesaid and to prevent if Possible all manner of Niceties or Evasions to avoid the Penalty thereof Be it also Enacted By the right Honourable the Lord Proprietary by and with the Advice & Consent aforesaid, and the Authority of the Same that it shall and may be Lawfull for every Merchant, Planter, Factor, Receiver or other Person of what Degree or Quality soever Employed to receive Tobacco within this Province for himself or others having with him one Witness besides himself to Draw out of any hhd of Tobacco Tendered him in payment four Samples, two whereof to be
p. 431 kept by himself and the other two by the Other Person with him till the next Provinciall or County Court and the same proved by the Severall and respective Oaths of each Person before the Iustices of either Provincial or County Court (at the Choice of the Receiver or party Grieved) shall be taken and Allowed of as Good Evidence for the Conviction of any Person herein Delinquent according to the Tenor of this Act herein before Expressed And be it likewise further Enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent aforesaid and the Authority thereof, that from & after the five and Twentyeth Day of September next Ensuing all Merchants, Traders, Planters Overseers or others Inhabitants of this Province making any Crops of Tobacco shall provide and Cause to be fallen by the last day of April at the furthest in every year Respectively all such Timber as shall be intended or allotted for making Tobacco hhds to the End that the same may be well Seasoned under the Penalty of four hundred pounds of Tobacco forfeiture for every Hogshead he or

they shall have Sett up or made of any other Timber then what shall be fallen as aforesaid, One half to the Right Honourable the Lord Proprietary of this Province; the other half to him or them that shall sue for the Same in any Court of Record within this Province wherein no Essoyne protection or Wager in Law to be allowed And for the Prevention of the unreasonable great tare of Tobacco hhds of very ill Consequence and Damage to Merchants and Others Traders herewithin this Province and also to avoid others the many inconveniencies of too weighty and unseasoned Cask Be it further Enacted by the said Lord Proprietary by and with the Advice and Consent af[d] and the Authority of the Same that from and after the aforesaid five and Twentyeth Day of September next No Tobacco hhds or Casks for Tobacco shall be sett up or made of any other Timber then what is herein before provided, and the same to be hewn into Staves and heading by the last Day of Iune in every Year respectively, and when sett up & finished not to weigh above Eighty pounds p[r] hhd, and to have the Same Dimensions as by an Act of Assembly of this Province touching Coopers and the Gauge of Tobacco Hogsheads is already provided under the Penalty of four hundred pounds of Tobacco for every hhd that shall from and after the said five and Twentyeth Day of September next be sett up of any other Timber then what shall be so fallen and hewn as aforesaid or shall (when Sett up and finished) Exceed the weight of Eighty pounds as aforesaid to be equally recovered of the Cooper that sett up the same and of the Person for whom it is Sett up or either of them at the Choice of the Party grieved, the one half to the Lord Proprietary the other half to the Informer or him or them that shall Sue for the Same, Provided always that it is nevertheless the true intent & meaning hereof that neither this Act nor any thing herein Contained shall be taken or Construed to take Advantage of any Person whatsoever for Setting up of Casks for this ensuing Crop with other Timber than what shall be fallen by the last Day of April and hewn into Staves and heading by the last Day of Iune (as by this Act is required) the said last Day of April being now already at hand, but that it shall Suffice and may be Lawfull for any Person to fall his Timber for Tob[a] Hogsheads by the last Day of Iune next (and not after) wherewith his Tobacco hhds for this next Ensuing Cropp may be made and Sett up Provided they Exceed not the Dimensions aforesaid nor the weight of Eighty pounds as afores[d] when Sett up, Any thing in this Act to the Contrary notwithstanding, This Act to Endure for three years or to the End of the next Generall Assembly which shall first happen

U. H. Journal 1659–98

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U. H. Journal 1659–98

April the 27th 1682 Upper house have Assented
Signed p^r Order p^r Iohn LLewellin Cl of Assembly.

Sent to the Lower house the honourable the Secretary and Coll: Tailler to lett them know that if they had finished the Business before them his Lordship and upper house would repair to the Council Chamber in the State house to receive what Bills had passed this Sessions—

A Message from the Lower house by M^r Hosier and M^r Hinson which they Deliver in Writing as foll: and returns Viz^t

Lower house 13th May 1682

This house have read a Certificate from the Commissioners of S^t Maries County Court concerning Wadden Hanse the Daughter of One Hanse a Sweed who was killed at the Susquehannah fort, and thereupon Voted that four thousand Pounds be raised this year out of the Publick and Ordered to be paid in S^t Maries County, that one thousand pounds thereof be paid to William Wherritt for his keeping the Child hitherto, that the other three thousand be paid to the Commissioners of S^t Maries County to be by them paid to Such person as Shall take the Child as an Apprentice or Orphan Child, till she shall come to Eighteen Years of Age, the Person that takes her to Oblige to teach the Girle to read and Sowe, also Voted that the Girl be further Considered when she comes to Marry or at the Expiration of her time

Signed p^r Order Tho: Grunwin Cl of the Lower house

To which this house Signified their Assent as foll Viz^t

May 13th 1682 Upper house Concurr
Signed p. Order John LLewellin Cl of Assembly.

Sent p. Coll: Stevens back to the Lower house

The Secretary and Coll: Tailler return from thence and report that the Lower house will send an Answer to the Message sent them by a Member of their own, Col Stevens returns

Cap^t Smith and Captain Brandt sent from the Lower house with the Bill for payment and Assessing the Publick Charge of this Province which they Deliver and withdraw—

Read and passed this house Viz^t

May the 13^th 1682 Upper house have Assented
Signed p Order John LLewellin Cl of Assembly

Remitted to the Lower house by Col Lowe which having Delivered returns into this house—

A Message from the Lower house by Col. Burges, Capt Smith Major Wicks and Captain Coode which they Delivered and returns to their own house, The same was read as followeth Vizt U. H. Journal 1659–98

Lower house 13th May 1682 p. 433

This house do desire to know of the Upper house if they Concurr with this house in their Advice given to his Lordship in their Vote sent Yesterday in relation to the Northern Indians of which this house desire their speedy Answer—

Signed p Order Tho Grunwin Cl of the Lower house

Answer whereunto this house returned as foll Vizt

Upper house 13th May 1682—

The Advice of this house in relation to the Northern Indians is Concurrent to the Report of the Committee of both houses May 4th and Voted in this house May the 5th to which this house do stand; The Lower house have also offered their Advice, either of which his Lordship may take Notice of as to him shall seem meet.

Signed p Order John LLewellin Cl of Assembly—

Sent to the Lower house by his honour the Secretary who hath in Charge also to Desire that house to acquaint this house at what time they may be ready with this house to Attend his Lordship for his Assent to the Bills passed this Assembly in Order to Conclude this Sessions, that his Lordship may be advised thereof from this house The Secretary returns—

Coll: George Wells and Mr Kenelm Cheseldyne sent from the Lower house to Signifie to this house that the Lower house was now ready with this house to attend his Lordship with the Bills passed this Assembly.

This house will acquaint his Lordship

This house wait on his Lordship to the State house in the Council Chamber

There Capt Digges sent to the Lower house to acquaint them that his Lordship was now ready above to receive them; He returns again into this house

The Lower house with their Speaker enter the Upper house & the Speaker presents to his Lordship for his Assent these following Bills Vizt

An Act Explaining an Act concerning Port Duties and Masters of Ships

An Act Ascertaining what Damages shall be allowed upon protested Bills of Exchange

U. H. Journal 1659–98

An Act Limiting the Expences of the Comm^rs of the County Courts of this Province

An Act for the Encouragement of Tillage and raising Provisions for Advancem^t of Trade within this Province

An Act for the Encouragement of making Linnen & Woollen Cloth within this Province

An Act for the Encouragement of Sowing and making Hemp & flax within this Province

An Act for Naturalization of Jacob Looton of S^t Maries County—

An Act for Naturalization of Mathew Eareckson and Albert Johnson

An Act for Naturalization of John Alward—

An Act for payment and Assessing the Publick Charge of this Province

An Act for reviving the Temporary Laws of this Province—

To all which foregoing Bills his Lordship Signified his Assent in these words his Lordship Willeth these to be Laws

C: Baltimore

They then passed the Seal and were Signed by the honourable the Chancellor in Manner following Viz^t

p. 434 Published under the great Seal this 13th May 1682

Philip Calvert Chancellor

His Lordship acquaints both houses that he had made Choice of Coll Henry Coursey and Coll. Philemon LLoyd Agents to Negotiate the Northern Indian Affair—

His Lordship also makes known that his honour & Governm^t had lately received some Aspersions from the Malicious evill Reports of some Disaffected Persons, which as his Lordship very well knew to be most Notoriously false so he likewise was Sensible it might appear to the Inhabitants of this his Province, and had therefore caused to be drawn up a Declaration in Vindication of himself his honour and Governm^t from those Aspersions in the Eys of the world whereunto he desired the Subscriptions of those then present

The Speaker humbly moves to know whether his Lordship did Propose it to them as particular private persons or as a Lower house of Assembly, for if as a Lower house he conceived their house must be first Consulted before they could do any thing therein—

In Answer whereunto his Lordship Prorogued the Assembly till the Second Tuesday in October being the Tenth Day, And Commanded his Chancellor then to pronounce and Publish the said Prorogation which accordingly he did—

And the Assembly was Prorogued till the Tenth Day of October 1682

p. Iohn LLewellin Clk

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, April 25–*May* 13, 1682.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE LOWER HOUSE OF ASSEMBLY.

27th 1682

Capt Hill app

Capt Richard Hill from
cuse to the house for
on by the house—

Mr Wm Peirce left
to further debate

the Comitte of
of the house—
nother time—
vpon their Charge—

County Comrs expence
sett.

County Comrs expence)
Counties Vizt St Maries—
Talbot and Sumersett
Tobacco at any one Court
according to Act of Assembly
esser Counties Vizt Kent
doe not exceed 600 l of Tob:—

Cou
to be
And that
Baltemore
at any one of

Complaint agt
Baltemore Co: Comrs

A Complaint being made concerning the seldome sitting of the Comrs of Baltemore County whereby the suitors to the sd Court are much delayed and also put to Extraordinary Attendance and charge— Ordered That Mr Mills draw up the said Greivance in writing and present it to the house to morrow morning And that Capt Waterton and Mr Holt Assist him therein

Mr George Robotham and Mr John Edmondson from the Comittee of trade and present to the house these two bills Vizt

port duty bill read
1st time

An Act Explaining an Act Concerning port duties and Masters of Shipps—

Bill of Exa bill read
1st time

An Act Assertaining what dammages shall be allowed vpon protested bills of Exchange—

The said two Bills read the first time—

Lower house of Assembly 27 Aprill 1682

This house desires to know if the Vpper house have any thing to Comunicate to this house from the Right honoble the

notherne
Indians

Lord propry or from themselves in Relacon to the Notherne Indians In Regard his Lorpp was pleased to speake to that purpose in his speech

Signed p ordr Tho: Grunwin
Clke of the Lower house—

L. H. Journal Original. Cap[t] Brandt and M[r] Stone sent to the Vpper house with the aforesaid Message—

They returne and say they have delivered the said Message

pressing men & coming downe Delegates— Proposed to this house by a member thereof That some way may be found out for the Comeing downe of Delegates of Remote Counties to Assemblyes, there being noe authority found in any person To presse boates horses or men for that purpose—

p. 8 Voted necessary Voted necessary in all Co have power to presse boate of the Delegates comi

And that it be for that purpose—

Cap this Vpper house

His Lor[pp] is hourely Exp

Indians will Consult and Consider of speech Concerning the Comunicate to the Lower in Charge from his Lor[pp]

LLewellin
Assembly

perticuler Co: not to pay their charge of th[r] owne Delegates. Put to the Question whether it shall be put to the Vote or not, That every perticuler County shall pay the charge of their owne Delegates—

Voted in the negative

Adjourned till Nine of the Clock to morrow morning

ffriday 28[th] Aprill 1682

The house mett and present as before

Then was read what was done yesterday—

Port duty bill protested bills ex[a] The two Bills for port duties, and protested bills of Exchange by speciall order of the house to have their second reading this day—

The bill Entituled An Act Explaining an Act concerning

port duty bill read 2[d] time port duties and masters of shipps read the second time and Comitted to the Comittee of trade for Amendment—

The last clause in the said bill concerning open boates Voted to be left out of the said bill

Coll Calvert from the Vpper house and Coll Steevens—

And bring the Coppy of a Lre from my Lord and Councill to the Governour of New Yorke, Likewise the Answer to the same from the said Governour to my Lord which were read as followeth Vizt L. H. Journal Original.

S[t] Maries Citty in Maryland March 4[th] 1681.

His Lorpp Lre to the Governr New Yorke

hono[ble]
whome sometime since p. 9
Agent at ffort Albany
Having lately
by plundering
also murdering
hath given vs
gotten or are
with vs which
serious & deliberate
as in vs lay the
to continue if possible
as well as the lives and
the
safe
expedients
Goverment
Inhabitants of
And amongst other
the Effectuall care by your
eservacō̄n and security of the
otherwise equally obnoxious to
the Assaults and Attempts of those Notherne Indians with the people of this Goverment) By affording to those Nothern Indians a free trade (without which they cann hardly subsist) onely vpon those very termes of keeping peace and Amity with them Wee from thence tooke Encouragm[t] and found our selves obliged to request the like favourable aid and Assistance from you for and in behalfe of the Inhabitants of this province a like Subjects to his Ma[ty] the King of England with those of Delaware and new Yorke That you will now prohibit any further Correspondence with those Indians in a way of traffique and supplyes Vnles they will also desist from any further Acts of hostillity against vs and proceed to mainteyne and keepe that league of peace and Amity with vs made Which wee desire and are willing to preserve towards them—

With this our soe reasonable request which the lives and prosperities of his Ma[ties] Subjects call for at our hands Wee have Entrusted the bearer Cap[t] Richard Hill (to whome you may give all faith and Credence) And hope that you will Vouchafe to Expidite him againe to vs with such a satisfactory answer herevnto as may not occasion our further Addresses to the king and Councill and his Royall Highnesse himselfe for the preservacō̄n of his Ma[ties] subjects here from the insolencyes outrages & Attempts of those Notherne Indians which other-

L. H. Journal Original. p. 10

wise in duty and Conscience wee shall be obliged to doe, But in noe wise doubt of your sufficient power and consequently your free & ready Concurrence herevnto in Consid
may be Quallified to
you with the like
Assistance you will
Correspondence by
concurrence of

To Capt Anthony Br
Comandr in Cheife or other
Comandr in Cheife
time being at
New Yorke
These

New Yorke March 60

Right honoble

The Answer

Yors of the 4th instant p Capt Hill yesterday Came to hand whome kindly received and with all speed dispatched, am extreamely troubled at the Effusion of Christian blood and other depradacōns in your province which were not before informed of, and although rumoured vnwilling to beleive; Hopeing their might be noe truth therein To prevent which as it hath alwayes bin the care and Endeavour of my predecessours not onely out of Christian duty but a perticuler respect wee beare to your province soe in my station shall be as Dilligent & ready and noe wayes wanting to doe you any service, there in Assureing you That all his Maties subjects in all our Leagues and treaties with Indians have had a like equall Esteeme and wee the same regard for their safety and Defence as ourselves however Violated. The Notherne Indians whome you charge to have been the Actors of those mischeifs are soe numerous farr distant and of soe many severall nations, That I know not whome to aske satisfaccōn of and have litle cause to thinke the Maquas and Senecas who have hitherto continued true and keepe their league wth vs, should soe soone forget that more perticulerly made for you by Coll Coursey and which I beleived would prove an Effectuall meanes for future quiet; But rather that they thinke you slight or forget them none from your parts having been to renew the peace as is vsuall and Expected by them wee doeing the same yearly and if duely observed will be of greate benefit and advantage for the preservacōn of peace and

Liber W. H. p. 239

Charles absolute Ld & Propry of the Province of Maryland & Avalon Lord Barron of Baltemore &c to the Sherriff of

Ann-arrundell Coonty Greeting, at an Assembly begun & held at S^t^ Maries the fifth day of Aprill last past by the Consent of o^r^ Vpper & Lower houses of Assembly wee have Ordained & Established Certaine Lawes as followeth. Liber W. H.

An act for Encovragem^t^ of Tillage & Raising Provisions for Advancem^t^ of trade w^th^in this Province

Whereas by reason of the p^r^sent Low & inconsiderable rate of tob occasioned by the usuall great Cropps planted & made of the same w^ch^ hath been the Chiefe & principall Comoditie w^th^in this Province the Inhabitants are Reduced to very great necessities & want if without some sudden remidy will soone Involve them in a most deplorable & Calamitous Condicõn, and whereas the planting & sowing of graine & Raising Provision & Exportacõn thereof out of this Province will in some measure Redress this sore & grievious Evill by encovragem^t^ of Navigacõn and bringing in some supply to the People w^ch^ duering the p^r^sent failure of the price of tobb Cannot be had or expected Bee it Enacted by the R^t^ Hono^ble^ the L^d^ Prop^ry^ by & w^th^ the Advice & Consent of the Vpper & Lower houses of this p^r^sent Gen^ll^ Assembly and the Authority of the same th^t^ from & aft^r^ the end of this p^r^sent Session of Assembly Indian Corne, Wheate, Oates Barley, Rye, Peas, Porke, Beefe Baccõn be deemed, Reputed, accepted & taken for Lawfull & Currant paym^t^ & paym^ts^ of money or Tobb Debt or Debts, whatsoever from or to any pson or psons whatsoever Debtor or Creditor Inhabiting or tradeing into this Province his L^pps^ Rents & Publique Leavys onely excepted, att such Rates & Prises and in such manner as hereaft^r^ in this p^r^sent act is mencõned & Contained (that is to say) Indian Corne shelled shall be rated at Eighteen pence mony Sterl, or Eighteen lbs of tobb the Bushell, Wheate at foure shillings or forty Eight lbs of tobb ꝑ bushell, Oates at two shillings or twenty foure pounds of tobb ꝑ bushell, Barley at two shillings six pence or thirty lbs of tobb ꝑ Bushell, Pease at three shillings or thirty six pounds of tobb ꝑ Bushell, Porcke at two pence, or two pounds of tobb ꝑ pound Beefe at one penny halfe penny or One pound & an halfe of tobb ꝑ pound, Baccõn at foure pence or foure pounds of tobb ꝑ pound all w^ch^ graine or Graines Porcke Beefe and Baccõn as afores^d^ to be Cleane sound sweete & merchantable & for the better Carriage & transportacõn of Porcke & Beefe, w^ch^ upon th^t^ acco^t^ may be otherwise subject to some greater inconvenience then other the Comodities afores^d^ Bee it Enacted th^t^ Porcke & Beefe shall be p^d^ & received in good & sufficient Caskque & Barrells Containing thirty two Gallons nearest of w^ch^ thirty six pounds to be allowed for tare. And be it further Enacted by the authority afores^d^ that it shall & may be Lawfull

Liber W. H. to & for all manner of ꝑsons whatsoever, Inhabitants or traders into this Province to buy export or Carry away any quant^y or quant^ys of Corne Porcke Beefe or Baccon as afores^d into any Dominion or Covntry out of this Province without any manner of Restraint Prohibic̄on or any other impoſic̄on other then is already by the Laws of this Province Imposed & allowed of
p. 240 any Law useage or Ordinance to the Contrary in any wise notwithstanding Provided & be it enacted by the authority afores^d th^t this act nor any thing therein Conteyned shall not be Construed deemed or taken to have any respect looking back or relac̄on to any tobb or mony debt or debts made or Contracted before the end of this p^rsent session of Assembly any thing in this act to the Contrary notwithstanding Provided & be it enacted by the authority afores^d th^t if any debt or debts shall or may be payable or due from or to any ꝑson or ꝑsons D^r or Creditor liveing or tradeing into this Province und^r thirty three shillings & foure pence or foure hundred pounds of tobb th^t then and in such Case it shall be tendered & p^d in any one ꝑticular Comoditie or kinde of Corne & Provision th^t is made Currant & rated as afores^d & not in divers the s^d ꝑticular kinde or Comoditie to be at the Elleccōn of the payer or debtor, this act to endure for three yeares or to the end of the next sessions of Assembly w^ch shall first happen./

An act Limitting the Expences of the Com^rs of the Covnty Covrts of this Province.

Whereas by an act of Assembly made the twenty seventh day of March 1671. Entituled an act impowring the Com^rs of the Covnty Covrts to Leavy & raise tobb toward the defraying the necessary Charges of their Covnties the Com^rs of the Covnty Covrts of this Province are Impowred to Leavy & Raise tobb for paym^t & satisfaccōn of theire s^d severall & Respective Covnty Charges by an equall assessm^t upon the goods and Chattles of the freemen & Inhabitants of the s^d severall Covnties amongst which they have used to Leavy the Charges & expences of the s^d Com^rs during the time of holding the s^d Covnty Covrts & other their publique meetings about the affaires of the s^d Covnties pretending the amercem^ts allowed to th^t end insufficient to defray the same. w^ch great unlimitted power tho well intended by the makers of the s^d act is by time & experience found to occasion great & unnecessary Charges, & Expences from some of the s^d Com^rs to the burthen of the Inhabitants of the s^d Covntys & the discredit & trouble of others the said Com^rs w^ch by theire moderate expences at those times indeavour to lessen & prevent the same for the prevencōn whereof for the future, Be it Enacted by the R^t Hono^ble

the L^d^ Prop^ry^ by & w^th^ the advice and Consent of the Vpper & Lower Houses of this p^r^sent Gen^ll^ Assembly and the authority of the same th^t^ from & aft^r^ the end of this p^r^sent sessions of Assembly the Com^rs^ of the severall & Respective Covnty Covrts of this Province shall not have further power & authority to Levy upon the Inhabitants of their severall & Respective Covntys Covrts for defraying theire Charges & expences duering the time of their holding theire said Covnty Covrts, about the affaires of the s^d^ Covntys above the sume of One thousand pounds of tobb for each Covnty Covrt held by the Appointm^t^ of the act of Assembly in the greater Covntys of this Province, which by this act are held and assertained to be S^t^ Maries Ann-arrundell, Calvert, Charles, Talbott, & Somersett, nor above the sum̄e of six hundred pounds of tobb for each Covnty Covrt as afores^d^ in the lesser Covntys of this Province w^ch^ by this act shall be esteemed Kent, Baltemore Dorchester & Cæcill, w^ch^ sumes as afores^d^ shall be the full allowance of the Expences of each Covnty Covrt appointed by act as afores^d^ in this Province during the time of holding the s^d^ Covrts & other publique meetings about the affaires of their said Countys, any Lawe useage or Custome to the Contrary notwithstanding this act to endure for the tearme of three yeares or to the end of the next sessions of Assembly w^ch^ shall first happen./ Liber W. H. p. 241

An act Assertaining what damages shall be allowed upon Protested bills of Exc^a^

Bee it Enacted by the R^tt^ Hono^ble^ the L^d^ Prop^ry^ by & w^th^ the advice & Consent of the Vpper & Lower houses of this p^r^sent Gen^ll^ Assembly & the authority of the same th^t^ there shall not be allowed to any ꝑson or ꝑsons whatsoever within this Province haveing Just Cause to implead any ꝑson or ꝑsons whatsoever liveing or resideing within this Province upon any bill of Exchange drawne for any sume or sumes of money whatsoever, payable in England or else where & brought in here Protested, more then the sume of twenty pounds ꝑ Cen^t^ damages over & above the debt sued for & Recovered together w^th^ Ordinary Cost of suite, any Lawe, statute, useage or Custome to the Contrary thereof in any wise notwithstanding, this Act to endure for three yeares or to the end of the next Gen^ll^ Assembly w^ch^ shall first happen./

An Act Explaining an Act Concerning Port Duties & Mast^rs^ of Shipps.

Whereas in the s^d^ act it is among other things Ordained & Enacted that all Vessells whatsoever not ꝑperly belonging to

Liber W. H. this Province haveing A Deck flush fore & aft Comeing in & tradeing within this Province shall pay for port dutys or Anccorage halfe a pound of Powder & three pounds of shott, or so much in Value for every tun of Burthen, to the L^d^ Prop^ry^ & his Heires w^ch^ Clause not sufficiently expressing the designe & Intendm^t^ of the s^d^ Act to the great decay & discovragem^t^ of Navigacōn in this Province, for explanacōn whereof be it enacted by the R^tt^ Hono^ble^ the L^d^ Prop^ry^ by and w^th^ the advice & Consent of the Vpper & Lower Houses of this p^r^sent Gen^ll^ Assembly & the authority of the same th^t^ no Vessell or Vessells whatsoever properly belonging to this Province Comeing in & tradeing w^th^in this Province shall pay or be Charged with any Port dutys or Anccorage whatsoever, or any fee or fees whatsoever, to any pson or psons whatsoever other then five shillings for entering & fife shillings for Cleering at the Respective Entries & Cleering for each Respective Vessell belonging to this Province afores^d^ any Lawe statute useage or Custome to the Contrary notwithstanding./

p. 242

An act for encovragem^t^ of makeing Linnen & Woollen Cloath within this Province.

The Vpper & Lower Houses of this p^r^sent Gen^ll^ Assembly haveing taken into their serious Consideracōn the great quan^tys^ of Linnen and Woollen Cloath w^ch^ are brought from forreigne p^ts^ into and spent in this Province & th^t^ the Inhabitants of this Province for want of the like Pollicy & Industry as other Covntrys have attained unto in the Inventing & practising & putting in Exercise the makeing of Linen & woollen Cloath do yearly spend vast sumes of money & quan^tys^ of tobb in purchasing those manufactures for Cloathing & Considering the great benifit & advantage th^t^ they by the makeing of such manufactures of Linnen & Woollen Cloath, will accrue to this Province and being willing to give all encovragem^t^ th^t^ may be to any pson or psons whatsoever th^t^ will make or Cause to be made any Linnen or woollen Cloath do humbly pray th^t^ it may be enacted by the R^tt^ Hono^ble^ the L^d^ Prop^ry^ by and with the advice & Consent of the Vpper & Lower Houses of this p^r^sent Gen^ll^ Assembly & the Authority of the same th^t^ from & aft^r^ the Publicacōn hereof any pson or psons whatsoever Inhabitant within this Province th^t^ shall make or Cause to be made & woven within this Province of the groth & manufacture of this Province any quan^ty^ of Linnen or Woollen Cloth of what kinde soever such pson or psons so makeing or Causeing to be made such Linnen or Woollen Cloath as afores^d^ within this Province shall for his & their encovragem^t^ in the advancing & setting forward such manufactures have & receive from the

severall & Respective Com^rs of the severall & Respective Liber W. II.
Covnty Covrts within this Province where the s^d pson or psons
soe makeing or Causeing to be made such Linnen & woollen
Cloath as afores^d shall dwell & Reside, for every y^d of Linnen
Cloath so to be made as afores^d being three quarters of a y^d
broad at the Least, the sume of six pounds of tobb and for
every y^d of woollen Cloath so to be made as afores^d being
three quarters of a y^d broad at the Least, the sume of ten
pounds of tobb to be raised & payed to the pson & psons
makeing or Causing to be made such Linnen or woollen
Cloath as afores^d in manner & forme as herein is sett downe
& expressed that is to say, every pson or psons Inhabiting
within this Province that shall make it sufficiently appeare
to the Com^rs of the Respective Covnty Covrts where he or
they shall live or reside th^t he or they have made or Caused
to be made & woven in the same Covnty of the groth &
manufacture of this Province any quan^ty of Linnen or Woollen
Cloath of the breadth afores^d either by pducing the same to
the Com^rs of the s^d severall & Respective Covnty Covrts in
their Covrts sitting or to any other pson or psons by them the
s^d Com^rs from time to time for th^t purpose to be appointed or
by any other sufficient proof or testamony by the s^d severall &
Respective Covnty Covrts to be appointed & allowed of, shall
deliver to the Clk of the Respective Covnty Covrts where he
or they shall Inhabit as afores^d a pticular of the quan^ty of y^ds of
Linnen or Woollen Cloath by him or them made & woven, or
Caused to be made & woven as afores^d of the breadth afores^d
w^th the time when the same was made & woven, & by whom
the same was so made & woven, w^ch s^d Clk of such Covnty p. 243
Covrt shall w^thout any fee or reward to be p^d or demanded for
the same, as well Cause an entry to be made of the same in
the Record Book of the s^d Covnty Covrt as also at the laying
of the next Covnty Covrt Leavy shall p^rsent to the Com^rs then
p^rsent A List of the psons names th^t have made such Cloath
of the breadth afores^d & the quan^tys thereof entered as afores^d
& the said Com^rs of the s^d Respective Covnty Covrts afores^d
shall Cause to be Leavyed by an equall Assessm^t upon the
Inhabitants of the s^d Covnty for every y^d of Linnen Cloath
made & Woven as afores^d of the breadth afores^d six pounds
of Tobb & for every y^d of Woollen Cloath made & Woven
afores^d of the breadth afores^d ten pounds of tobb to be p^d to
the p^tys the true Owner or Owners of such Linnen or woollen
Cloath as afores^d this act to endure for three yeares & no
Longer./

An act for Encovragem^t of Sowing & Makeing
Hemp & Flax w^thin this Province—

Bee it Enacted by the R^tt Hono^ble the L^d Prop^ry by & w^th the

Liber W. H. Advice & Consent of the Vpper & Lower Houses of this p[r]sent Gen[ll] Assembly and the Authority of the same, th[t] from & aft[r] the end of this p[r]sent sessions of Assembly if any ꝑson or ꝑsons whatsoever Inhabitant w[th]in this Province shall or will by himselfe or servants or by any other by him imployed or hired Cause or ꝑcure to be sown any Lyne seed otherwise Called Hemp seed or Flax seed & shall aft[r] the Reaping thereof Cause such flax or Hemp so reaped or gathered to be braked bundled & made merchantable fitt for saile, such ꝑson or ꝑsons Inhabitants within this Province shall for his & their encovragem[t] in so good a worke demand have & Receive for every pound of Flax or Hemp by them soe made Merchantable & fitt for sale as afores[d] One pound of tobb ꝑ pound to be p[d] to him or them by the Com[rs] of the Respective Covnty Covrts within this Province & Raised out of the publique Covnty Leavys of the s[d] severall & Respective Covntys where such flax or hemp shall be sowed braked bundled made Merchantable & fitt for sale as afores[d] Provided such ꝑson or ꝑsons makeing such hemp or flax as afores[d] shall by ꝑducing the same to the Com[rs] of the said Covnty Covrts, or to any other ꝑson or ꝑsons by them from time to time to be Appointed, or by any other waies or means whatsoever satisfie & make it appeare to the Com[rs] of the s[d] severall & Respective Covnty Covrts, th[t] he or they or his or their servants or Workemen have made or Causd to be made any quan[ty] of Flax or Hemp & so braked bundled & made merchantable & fitt for saile as afores[d] this act to endure for three yeares & no Longer/

An act for Paym[t] & Assertaining the Publique Charges of this Province—

Whereas there hath been One hundred fifty nine thousand sixty & One pounds of tobb Expended Layd out & disbursed by the Vpper & Lower Houses of this p[r]sent Gen[ll] Assembly & by severall other the good people of this Province for the publique good of the same, & to the intent the same may be satisfied & p[d] to those ꝑsons to whom the same is due Be it enacted by the R[tt] Hono[ble] the L[d] Prop[ry] by & w[th] the advice & Consent of the Vpper & Lower Houses of this p[r]sent Gen[ll] Assembly & the authority of the same that the s[d] One hundred fifty nine thousand sixty & one pounds of tobbacco be p[d] in manner & forme as is hereafter expressed (th[t] is to say) to Garrot Vanswearingenn twenty nine thousand three hundred
p. 244 & ninety pounds of tobbacco to Henry Exon thirty five thousand six hundred thirty seven pounds of tobb, to Francis Hatterson seventy foure thousand five hundred ninety six pounds

of tobb to John Baker thirty nine thousand Eight hundred Liber W. H.
Eighty six pounds of tobb to Joseph Mason three hundred pounds of tobb to Jo^{n} Pennisone three hundred pounds of tobb to John LLewellin seaven thousand foure hundred pounds of tobb to Thomas Knighton Eight hundred & ten pounds of tobb to Hugh Hopewell five thousand two hundred & fifty pounds of tobb to Joseph Norwood door keeper of the Vpper House Eight hundred pounds of tobb to Geō Collings doore Keeper of the Lower house Eight hundred pounds of tobb to Geō Watts Eight hundred pounds of tobb to Lev^{t} David Jones foure hundred & 30 pounds of tobb to John Thomas forty six lbs of tobb, to W^{m} Harriss sixty lbs of tobb, to Joseph Strawbridge sixty lbs of tobb to Phillip Piston One hundred lbs of tobb to Tobias Scarnboron One hundred lbs of tobb to Rob^{t} Jarman two hundred & Eighty pounds of tobb, to Tho Stone two hundred & twenty lbs of tobb to Thomas Grunwinn foure thousand lbs of tobb to Thomas Bland three thousand nine hundred lbs of tobb to Charles Boteler three thousand nine hundred pounds of tobb & to the severall sherriffes of this Province for their Sallery for Collecting the sume of fifteen thousand nine hundred & six pounds of tobb in the whole the sume of One hundred seaventy foure thousand nine hundred sixty seaven pounds of tobb & be it further enacted by the Advice Consent & Authority afores^{d} th^{t} the afores^{d} sumes of tobb be Leavyed & Assessed by an equall assessm^{t} upon the ꝑsons & Estate of the Inhabitants of this Province, it amounting in the whole to the sume of One hundred seaventy foure thousand nine hundred Sixty Seaven pounds of tobb be p^{d} to the severall ꝑsons to whom the same is due according to the acco^{ts} disbursm^{ts} & necessary Charges of this Province w^{ch} have been Examined stated & allowed by the Vpper & Lower Houses of this p^{r}sent Gen^{ll} any Lawe stāt Useage or Custome to the Contrary in any wise notwithstand./

An act for Reviving the Temporary Lawes of this Province

Bee it Enacted by the R^{tt} Hono^{ble} the L^{d} Prop^{ry} by & wth the Advice & Consent of the Vpper & Lower Houses of this p^{r}ent Gen^{ll} Assembly and the authority of the same th^{t} One Act made at a Gen^{ll} Assembly held at S^{t} Johns the seventeenth day of Apprill One thousand six hundred sixty & One Entituled an act for Appointm^{t} of Certaine Officers (excepting the Latter Clause thereof relateing to sherriffs, w^{ch} is not revived) One other act made the same Assembly Entituled an act Concerning the Height of Fences One ꝺothe act made the same Assembly Entituled an Act for Conveyance of all Letters, Concerning the state or publique afaires One act made at A Generall

Liber W. H. Assembly held at S^{t} Maries the first day of Apprill One thousand six hundred sixty & two, Entituled an Act Concerning
p. 245 Indians One Act made at A Gen^{ll} Assembly held at S^{t} Maries the fifteenth day of Septemb^{r} One thousand six hundred sixty & three there Continued untill the third day of Octob^{r} following & from thence adjourned untill the second tuesday in Septemb^{r} One thousand six hundred sixty & foure, Entituled an ꝑhibiting Arrests upon Sabbath days & days of Gen^{ll} Muster and training. One other act made the same Assembly Entituled an act for Amercem^{ts} in the Prov^{all} & Covnty Covrts. One other act made the same Assembly Entituled an act Concerning ꝑceedings at Lawe except one Clause in the Latter end thereof Viz^{t} so farr as the Covrt shall Judge them not inconsistant wth the Condicō̄n of this Province w^{ch} is not to be revived One other act made the same Assembly entituled an Act agst the Exportacō̄n of Wooll & Old Iron, One act made at a Generall Assembly held at S^{t} Maries the tenth day of Aprill One thousand six hundred sixty & six Entituled an act ꝑhibiting trade wth Indians for any flesh dead or alive except deere & Wild fowle, One other act made the same Assembly Entituled an Act ꝑhibiting Forreigne Ingrossers, One act made at a Gen^{ll} Assembly held at S^{t} Maries the thirteenth day of Aprill One thousand six hundred sixty & nine Entituled an act for Limitacō̄n of Certaine accō̄ns for avoiding suits at Law One other act made the same Assembly Entituled an act for ꝑviding sufficient freight & Carriage for the ꝑper goods & Comodities of his L^{pps} the L^{d} Prop^{ry} of this Province & the Governo^{r} of this Province for the time being. One other act made the same Assembly Entituled an Act Limitting the Extent of Attachm^{ts} & ꝑviding what shall be Leavyed upon Attachm^{ts} & Execucō̄ns One other Act made the same Assembly Entituled an act providing what shall be good Evidence to prove forreigne debts, One other act made at A Gen^{ll} Assembly held at S^{t} Maries the seven & twentieth day of March One thousand six hundred seventy & One Entituled an act agst divulgers of false news, One other act made the same Assembly Entituled an Act ags^{t} hoggstealers, One other Act made the same Assembly Entituled an act for the ꝑviding a standard with English Weights & measures in the severall & Respective Covnties wthin this Province One other act made the same Assembly Entituled an Act ꝑhibiting the Importacō̄n of all Horses, Geldings, Mares, & Colts into this Province One Act made at a Gen^{ll} Assembly held at S^{t} Maries the tenth day of Octob^{r} One thousand six hundred seaventy & One Entituled an Act for Explanacō̄n of one Clause in an Act Entituled an act ꝑhibiting the importacō̄n of all Horses Gelding mares & Colts into this Province wth an Addicō̄n & amendm^{t} therein One other act made the same

Assembly Entituled an act for marcking high waies & makeing Liber W. H.
the heads of Rivers Creeks branches & swamps passable for
horse & foot One other act made the same Assembly Entituled
an act for stay of Execucōns aftr apprill Covrt, One act made
at a Genll Assembly held at St Maries the thirteenth day of
Aprill One thousand six hundred seaventy & foure Entituled
an Act Concerning the Impannelling the grand Inquest in the
severall Covntys wthin this Province One other act made the
same Assembly entituled an act for the Survr Genlls ffees wth
addicōn of fees upon Resurveys & Leavying the same, One
other act made the same Assembly entituled an act for the
paymt of fees due from Criminall psons One other act made
the same Assembly Entituled an Act Concerning those ser-
vants tht have Bastards, One other act made the same
Assembly Entituled an act agst burners of Fences, One other
act made the same Assembly Entituled an act phibiting all p. 246
Masters of Shipps or Vessells or other psons from transporting
or Carrying away any pson or psons out of this Province wthout
passess One act made at A Genll Assembly held at St Maries
the twelfth day of Febry One thousand six hundred seaventy
& foure, Entituled an act what shall be allowed to Grand Jurys
tht are sum̄oned twice a yeare out of the body of the Province
to attend Provall Covrts, One other act made at a Genll
Assembly held at St Maries the fifteenth day of May One
thousand six hundred seaventy & six Entituled an Act for
securing Merchts & others tobbs aftr they have received it, One
other act made the same Assembly Entituled an act relateing
to the seisure of tobb by the Sherriff, One other act made the
same Assembly Entituled an act for the Publicacōn of Mar-
riages, One other Act made the same Assembly Entituled an
act relateing to servants & Slaves, One other act made the
same Assembly Entituled an act touching Coopers & Gage of
tobb hhds One other act made the same Assembly Entituled an
act for the easemt of the Inhabitants of this Province in suites
at Lawe for small debts One other Act made the same
Assembly Entituled an Act for the Constables takeing the
List of Taxables One other act made the same Assembly
Entituled an act agst the importacōn of Convicted psons into
this Province One other act made the same Assembly En-
tituled an Act for securing Creditors One act made at A
Genll Assembly held at St Maries the twentieth day of Octobr
One thousand six hundred seaventy & Eight Entituled an act
for Regulateing Ordinarys & Limitting the number of them
wthin this Province One other act made the same Assembly
Entituled an Act for Eleccōn of Sherriffes, One other Act En-
tituled an Act for the better Administracōn of Justice in the
Covnty Covrts of this Province One other act made the same

Liber W. H. Assembly Entituled an act for Appeales & Regulateing writts of Erro^{r} One other Act made the same Assembly Entituled an act for the keeping A Register of Births Marriages & Burialls, in Each Respective Covnty. One other act made the same Assembly Entituled an act imposeing A penalty on such as shall dispose of tobb seized & Received by the Sherriffe & others, One other act made at a Gen^{ll} Assembly held at the Citty of S^{t} Maries the seaventeenth day of Septemb^{r} One thousand six hundred Eighty & One Entituled an Act for Ordering & Regulateing the Malitia of this Province for the better security & defence thereof One Other act made the same Assembly Entituled an act for the better Ad^{con} of Justice in Probate of Wills granting Ad^{cons} Recovery of Legacies & securing filiall porc$\bar{o}$ns One other act made the same Assembly Entituled an act for speedy bringing to Tryall & suppressing Criminalls & Limiting their punishm^{ts} for Certaine offence when psecuted in the Covnty Covrts, One other act made the same Assembly Entituled an act for preventing unnecessary & Vexatious suits at Law, One other act made the same Assembly Entituled an act restraining the importac$\bar{o}$n of Leather & Raw Hides Deer & Elck Skinns out of this Province for the Encovragem^{t} of Tanners & Shoemakers, One other act made at a Gen^{ll} Assembly held at the Citty of S^{t} Maries the twelfth day of Novemb^{r} One thousand six hundred Eighty & One Entituled an act agst Ingrosers and Regraters,

p. 247 The same acts & every of them be & are hereby Revived & Continued in full force & Vertue for & during the tearme of three yeares or to the end of the next Sessions of Assembly w^{ch} shall first happen./

And therefore wee Com̄and the th^{t} all these Lawes & every Article & thing in them Conteyned at the Covnty Covrt & such other places in the Covnty as you shall think fitt you Cause to be pclaimed & published & firmly to be kept Witness o^{r} selfe, Given at o^{r} Citty of S^{t} Maries this thirteenth day of May in the seaventh yeare of o^{r} Dom̄inion Annoq^{u} Dom̄. 1682/

Private acts Passed this Assembly.

An Act for Naturalizac$\bar{o}$n of Jacob Looton of S^{t} Marys Covnty

An Act for the Naturalizac$\bar{o}$n of Mathew Erickson of Kent Covnty and Albott Johnson of Talbott Covnty.

An act for the Naturalizac$\bar{o}$n of John Alward of Charles Covnty.

P Calvert Canc:

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND,

At a session held at St. Mary's, Oct. 26–Nov. 17, 1682.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

At an Assembly Called by Proclamation Bearing Date the Tenth Day of July Anno Dom 1682 To Begin and be holden at the City of S^{t} Maries the Twelfth Day of October then next following, and from thence by Proclamation Bearing Date the Ninth Day of September in the said Year Prorogued untill the four and Twentieth Day of the aforesaid October, and from thence by Proclamation bearing Date the said four and Twentieth Day of October further Prorogued untill the Six and Twentyeth Day of the same Month, At which said Six and Twentieth Day of October in the Year of the Dominion of the Right Honourable Charles &c: Annoq Dom. 1682 the said Assembly mett and Sate at the said City of S^{t} Maries where appeared in the Upper house (Viz^{t})

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The Right Honourable the Lord Proprietary

The honble

Philip Calvert Esq^{r} Chanc.	Coll: Henry Darnall
Coll: Thomas Tailler	Coll: William Stevens
Coll: Henry Coursey	Coll William Digges
Coll Vincent Lowe	Major Nicholas Sewall

And Coll: William Burgess also Enters the house according to his Writt and takes his Place—

John LLewellin Clk—

The Delegates Members of the Lower house being called and Admitted into this House his Lordship Declares to them in Manner following Viz^{t}

Gentlemen

The Murders and severall Outrages perpretrated by the Northern Indians for these two Years past made me think it Absolutely Necessary to have more frequent Meetings of Assemblies than formerly, being resolved upon such Emergencies to have the Advice as well as Assistance of the Great Council of this Province, In this Particular, (I hope) I've already given some Testimonies

Now lest my Resolutions herein might Draw too great an

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Evil on the Freemen in another kind, I thought it likewise as Necessary to Lessen Considerably the Charges and Expences of Assemblies for the future, by sending for two Delegates only out of Each County; This being Pursuant to the late Establishment for the way and Manner of holding Assemblys whensoever the last should be Dissolved

As in this I have proceeded according to the Undoubted Rights, Priviledges, and Powers, of my Charter, and therein have Observed and followed the same way and Method of holding Assemblies, as in all other his Majesties Dominions, so I very Confidently Assure myself that I shall not be thought by any Member here present to have other Designe in this than the Publick Good and Welfare of the Freemen of Maryland, whose Ease and Benefit I am to seek and endeavour all I can—

I having therefore Gentlemen given you this Assurance; I must now let You understand the Causes of this Days Meeting, which in Short is this—

It was thought necessary by the Assembly in May last to send some Agents to New York Government there to Settle

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and Confirm a former Peace Made with the Sinniquo Indians; and accordingly Coll: Henry Coursey one of the Council, and Coll: Philemon LLoyd Speaker to that Assembly were the Persons Nominated and Appointed by me for that Important Affair, and by the Advice of my Council were Provided and Armed with Directions and Powers Sufficient for the said Purpose; These Gentlemen by their prudent Management of the Business of that Negotiation, had that unexpected Good Success therein that I cannot forbear Assuring You that I have had it Certified by Letters from Persons of the Greatest Note in that Government that they never knew their Neighbouring Indians yeild to such Terms and Conditions, as by the Articles you'l See these Agents brought them at Last to, which yet might have been more for the Interest of this Government—could these Gentlemen have used those Rules and Methods they Designed; but that would in no wise be allowed them; So that in my Opinion twas alltogether impossible for Our Agents (the Circumstances they were in being rightly Considered) to have Acted more for the Peace Security and Honour of their Country then they did, I will let you have the Perusall of the late Articles by which you will be fully Satisfied of the great Services of these Gentlemen, and you will also see that Some Discoveries have been made of the Evil Practices of Jacob Young that long Disturber of Our Peace and Quiet: I caused him to be Apprehended and Secured in Irons, and do Resolve he shall receive his Tryall this Assembly that so you may all see the Villany of that

ungratefull Wretch, who not only hath made a Trade of the Spoils he received of the Indians that have Yearly Robbed us but by their Means hath also had the Command of any Mans Life in this Province that he desired to have taken away, This and some Small Charge the Province hath been at for the Security of the Pisscattaway Indians during the late Agency is the only Matter I have to Offer to your Considerations, Therefore you have now Leave to repair to the Court house to Choose your Speaker, having by Commission Appointed Thomas Grunwin your Clerk U. H. Journal 1659-98

They Accordingly go together to Choose their Speaker

John Saxon is Appointed Door keeper to this house

The Members of the Lower house come and present Coll: Philemon LLoyd for thir Speaker who after having Disabled himself as uncapable to Manage so great a Charge, and prayed a New Election, is approved of and the Choice Confirmed by his Lordship; The Speaker prays the freedom of Speech in their house and Other their Antient Priviledges may be Continued unto them, which his Lordship did Assure them should be allowed them as formerly had been; They return to their House—

This house Adjourns for an hour

Mett again according to Adjournment

Present as before—

Adjourn till to Morrow Morning Nine of the Clock—

October 27th 1682 Upper house Mett—

Present

The Right Honourable the Lord Proprietary

The honourable

Philip Calvert Esq. Chan^{r}	Coll: Henry Darnall
Coll Thomas Tailler	Coll William Stevens
Coll: Henry Coursey	Coll William Digges
Coll Vincent Lowe	Major Nicholas Sewall

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The house proceeds to reading the Articles of Peace made Lately with the Northern Indians together with the Several Letters and Papers relating thereunto

M^{r} Robert Carvile and M^{r} Thomas Burford Members of the Lower house by Leave of their house Come and pray the hearing before his Lordship and Councill of some Matter in difference between John Richardson and John Stevens for whom the said Carvile and Burford Appear as Attorneys which is Granted, and

This house Adjourn for an hour to the Council—

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Upper house again mett according to Adjournment

Present as before—

This house proceed to the further hearing the Articles &c[a] made with the Northern Indians which being all read and heard they are Sent down to the Lower house by Coll: Coursey and Coll: Stephens for the Perusall and Consideration of that house.

An Account Exhibited by John Martin of Charles County Smith for Scowering Cleansing and fixing of Arms Amounting unto four thousand one hundred and Eighty pounds of Tobacco read and thus Endorsed Viz[t]

Upper house October 27: 1682
The Account to be Allowed and paid by the County
Signed p. Order J LLewellin Cl of Assembly

Coll: Coursey and Coll: Stevens return from the Lower house

M[r] William Peirce Sent from the Lower house for the Book of Laws and List of Taxables of this Province, which are Delivered to him he returns to that house.

Voted and Ordered by this house that for Every Petition read in this house the Door keeper of this house be Allowed half a Crown in Money Sterling or fifty pounds Tobacco—

A Message from the Lower house by M[r] Thomas Burford and M[r] John Rousby which they Deliver in Writing and return to their house being as followeth Viz[t]

Lower house 27th May 1682.

This house desires to know whether at present the Upper house have any Business ready for this house, and that they will appoint two Members of their house to join with two of the Members of this house as a Committee to Settle the Publick Accounts—

Signed p. Order
Thomas Grunwin Cl of the Lower house

Answer whereunto Sent to the Lower house by Coll William Stevens and Coll: Thomas Tailler in writing also as followeth (Viz[t])

Upper house 27th October 1682.

The honourable Coll: Thomas Tailler and Coll: William Stevens Members of this house Appointed by this house to Join in Committee with two Members of the Lower house for Auditeing and Stating the Publick Accounts of this Province,

this house Desire to be informed whether the Lower house Sett forth their Committee for Inspecting The Laws that this house may also appoint some of their Members to Join with them therein— U. H. Journal 1659–98 p. 438

Signed p. Order
J Lewellin Clk of Assembly—

The Committee of Accounts Appointed to Meet at M^rs^ Cordeas house to Morrow Morning ten of the Clock—
Signed p. Order John Lewellin Cl of Assembly

Coll: Tailler and Coll: Stevens having been with the foregoing Message to the Lower house bring the same Back for that the Lower house were Adjourned for a Quarter of an hour—
Coll: Tailler and Coll: Stevens again Sent to the Lower house with the foregoing Message which they having Delivered they Return
Ordered that Publick Notice be given by a Paper to be Sett up at the Door of the house that the Committee for Accounts are Appointed to Sitt to Morrow Morning ten a Clock at Cordea's house

Upper house 27th October 1682
The Committee for Auditing and Stating the Publick Accounts of this Province are Appointed to Meet to Morrow Morning tenn of the Clock at M^rs^ Cordea's house, whereof all Persons Concerned are to take Cognizance, and to give their attendance with their Claims Accordingly—
Signed p. Order J LLewellin Cl of Assembly.

Captain Henry Smith and M^r^ Henry Hosier sent from the Lower house with the following Message in writing which they Deliver and return to their House Viz^t^

Lower house 27 October 1682
This house have Appointed M^r^ William Hatton and Captain Henry Smith to Join with Coll: Tailler and Coll Stevens as a Committee of Accounts who will be ready at the time and Place prefixed in the Message from the Upper house, as to the other Committee for Inspecting the Laws this house have not one Member to Spare as yet without breaking their house, Notwithstanding they have reduced their house to the Number of Twelve with their Speaker
Signed p Order Tho: Grunwin Cl of the Lower house

This house Adjourns till to Morrow Morning Eight a Clock

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October 28th 1682 Upper house mett

Present

The Honble

Philip Calvert Esq[r] Chan[r]	Coll: William Stevens
Coll: Thomas Tailler	Coll William Digges
Coll Henry Coursey	Coll William Burgess
Coll Vincent Lowe	Major Nicholas Sewall
Coll Henry Darnall	

Sent to the Lower house by Col Henry Darnall and Major Nicholas Sewall the three following Messages Viz[t]—

Upper house 28th October 1682

This house Seriously Considering the Endeavour of the Pirates last Summer to have Surprised the Person of the
p. 439 Right Honourable the Lord Proprietary and with him the Magazine kept at Mattapony for the Defence of the Province, desire the Lower house to Join with this house in providing a Convenient Guard for Defence of his Lordship and Security of the Magazine

Signed p. Order J LLewellin Cl of Assembly.

Upper house 28th October 1682

This house upon Perusall of the Journall of last Assembly find that the Lower house of the said Assembly promised the Upper house of the said Assembly that they would in the first Place take the Consideration of the Excessive Tares and the false Package of Tobacco into Consideration and provide a remedy for it at the next Meeting This house are now of Opinion that the Upper house then had reason to press the making Some Act for remedy of the false package of Tobacco, and to prevent the Excessive Tares of Casks, and do desire the Lower house now to Enter upon the Debate of this Matter the Neglect of which will ruin our Trade—

Signed p. Order John LLewellin Cl of Assembly

Upper house 28th October 1682

Whereas at the last Assembly there were Several Debates in both houses about the Restraining of Freemen that have no Lands from keeping Mares or horses, to lessen the Number of them that now are grown a Common Nusance This house do desire the Lower house to take that matter again into Debate; and provide a remedy; the Argument then against it, (Viz[t] the Warr with the Indians) being now Vanished

Signed p. Order John LLewellin Cl of Assembly.

Coll Darnall and Major Sewall having Delivered the foregoing Messages to the Lower house return again into this house— U. H. Journal 1659–98

And this house Adjourns for two hours

Upper house mett again and Adjourn till Monday Morning 8 a Clock

October 30th 1682 Upper house mett

Present

The Right Honourable the Lord Proprietary

The honble

Philip Calvert Esq^{r} Chan.	Coll William Stevens
Coll Thomas Tailler	Coll William Digges
Coll: Henry Coursey	Coll William Burges
Coll Vincent Lowe	Major Nicholas Sewall
Coll Henry Darnall	

Coll: Thomas Tailler and Col: William Stevens sent to the Committee of Accounts to join with them—

A Petition prefered by John Richardson for allowance to be made him for Provision and Entertainment of Several Companies of Souldiers at his house in the Late Expedition against the Nantecoke Indians 3 Days as p. his Account Annexed to his Petition read and thus Subscribed Viz^{t}

Upper house 30 October 1682

Lett this be sent to the Committee of Accounts to be Considered of.

Signed p. Order John LLewellin Cl of Assembly.

An Account Exhibited by Coll William Chaneller of Charles County for Souldiers Pay and Provisions prest for the Garrison at Zachaja read the several Particulars as to the pay rated and Referred to the Committee of Accounts also with this Subscription p. 440

Upper house 30th October 1682

The foregoing Calculation hath been only for his Lordships private Satisfaction the Souldiers pay being Computed according to Act of Assembly but for the Provisions it is left to the Consideration of the Committee to Order therein as to them shall seem reasonable—

Signed p. Order John LLewellin Cl of Assembly

A Message from the Lower house p. M^{r} Thomas Burford which he Delivers in Writing and Returns to his house, being as followeth Viz^{t}—

U. H. Journal 1659–98

Lower house 30th of October 1682.

The Message of the Upper house concerning a Guard for the security of his Lordships Person and Magazine being taken into Debate by this house It was Ordered that a Member of this house Ioin with a Member or Members of the Upper house to Conferr about the Providing a Convenient Guard for the Defence of his Lordships Person and the Security of the Magazine, and to report the Sense of that Conferrence to this house, and whether or no the Upper house will Concurr therein is the Sense of this Message—

Signed p. Order Thomas Grunwin Cl of the Lower house

If the Upper house Concurr herein this house do appoint Mr Attorney General to be the Person on their Part.

Answer to the foregoing Message Sent p Coll: Burgess to the Lower house in the Words following—

Coll: William Burgess a Member of this house Appointed by this house to Join in Consultation with the Attorney General to Consider of a Convenient Guard for his Lordships Person and the Security of the Magazine to meet forthwith at Mrs Cordeas house for that purpose—

Signed p. Order J LLewellin Cl of Assembly.

Coll: Burges having Delivered the foregoing Message returns into this house

Coll: Henry Coursey hath leave of this house to go to the Committee of Accounts they having desired to speak with him—

Upper house 30 October 1682.

A Motion made by a Member of this house to Consider of some Gratuity to be made to Coll: Henry Coursey and Coll: Philemon LLoyd late Agents for this Province to the Northern Indians at Fort Albany, which being taken into Consideration by this house, the effectuall Care by them taken for the future peace and Quiet of this Province, and the good Husbands they have proved for this Province in procureing the Same—

Voted in this house Nemine Contradicente that 12 lb Tobacco p. Poll be Levyed upon the Inhabitants of this Province, and presented to the said Coll Coursey, and Coll LLoyd which this house Conceive to be reasonable Gratuity for the Care and Trouble they have been at, and desire hereunto the Concurrence of the Lower house—

Signed p. Order John Lewellin Cl of Assembly—

p. 441 Coll: Coursey returns into this house from the Committee

The foregoing Vote of this house read and sent to the Lower house by Coll Henry Darnall Coll: William Digges, and Major Nicholas Sewall. U. H. Journal 1659–98

A Petition prefered to this house by William Taylor of S^{t} Maries County for Allowance of his Pension 1200^{lb} Tobacco having lost his right hand in his Lordships Yacht read and thus Subscribed Viz^{t}

Upper house 30th October 1682

To be Considered of by the Lower house this house being willing to Continue their Charity to the Petitioner—

Signed p. Order John LLewellin Cl of Assembly

Coll: Darnall Coll: Digges and Major Sewall return from the Lower house

A Message from the Lower house p. Captain John Osborn and Doctor John Brook which they Deliver in Writing and return, being as followeth Viz^{t}

Lower house 30th of October 1682

In Answer to the two Messages relating to Horses and the false Package of Tobacco &c. this house having taken into Consideration the Season of the Year Necessarily requiring their Attendance at home, do desire that those Matters may be referred to future Assemblies, and that we proceed to such things as were Recommended to Us by his Lordship which We are ready to take in hand so soon as shall be brought to Us from the Upper house—

Signed p. Order Tho. Grunwin Cl of the Lower house

Coll Burgess return from Conference with the Attorney Generall & produces to this house their Report drawn up and Signed by the Clerk of their Committee which was read being as foll: Viz^{t}

At a Conference by Appointment from the Upper and Lower houses had Between the Honourable Coll: William Burges of the part of the Upper house and Thomas Burford Gent. of the Part of the Lower house, Concerning the Provision of a Guard for his Lordships Person and Magazine—

It is proposed and thought Necessary, That a Guard of twelve Troopers with a Captain and one other Officer belonging to the Guard be raised forthwith at the Nomination and Appointment of his Lordship

The Guard aforesaid to have Wages from the Publick at the Rate of Eighty Pounds Tobacco p Diem, for the Captain

U. H. Journal 1659–98 Seventy pounds of Tobacco p. Diem for the Other Officer and for the rest of the Guard Sixty pounds of Tobacco p Diem, they and Every of them at their own Cost to Provide for themselves Arms Ammunition & Provision for themselves and Horses—

To Continue for three Years or to the next Session of Assembly

Thomas Bland Cl.

Which being read and Debated in this house; the result of this house thereupon was drawn up as fol: (Viz^{t})

Upper house 30 October 1682

Upon Consideration had of the Report brought into this house by Coll: William Burgess Conferree with M^{r} Burford a Member of the Lower house Appointed to Consider of a Convenient Guard, for his Lordships Person and the Security of the Magazine—

p. 442 This house do offer; That Twelve Men with a Captain and one other Officer at the Election of his Lordship is a Convenient Guard for the Purpose aforesaid according to said Report.

That the Captain of such Guard be Allowed 12000 ^{lb} of Tobacco p Annum out of the Publick Levy the other Officer 10000 ^{lb} of Tobacco and every private Centinell 8000 ^{lb} of Tobacco

Which although it may some what Exceed the Ordinary Allowance made by Act of Assembly for Troopers yet Considering the Quality they Serve in; and that it will be Decent and Absolutely Necessary that they should be more than Ordinarily well Accoutred this house think the same but a reasonable Allowance and thereto Desire the Concurrence of the Lower house.

Signed p. Order John LLewellin Cl of Assembly

Adjourn for an hour.

Upper house mett again according to Adjournment

Present as before—

And Adjourn till to Morrow Morning Eight of the Clock—

October the 31: 1682 Upper house mett

Present

The Honourable

Philip Calvert Esq^{r} Chan^{r}	Coll: William Stevens
Coll Thomas Tailler	Coll: William Digges
Coll Henry Coursey	Coll: William Burges
Coll Henry Darnall	Major Nicholas Sewall

Read the first time An Act for Advancing the Trade of Tobacco drawn up in this house; Voted to Ingrossment and a Second reading— U. H. Journal 1659–98

The Report of Coll: William Burges and Thomas Burford Gent. Conferrees brought into this house Yesterday, and the Vote of this house thereunto, together with Coll William Taylors Petition Sent to the Lower house p. Coll: Digges—

Coll: Digges returns from the Lower house

The Bill for Advancing the Trade of Tobacco being Engrossed the second time and passed this house in the Words following (Viz^{t})

Upper house 31 October 1682

This house having prepared an Act for Advancing the Trade of Tobacco of so great Importance to this Province after reading Voted the same to Engrossm^{t} and upon Second reading having passed the same and now Send it to the Lower for their Concurrence desiring them to Join with this house in their Humble Address to his Lordship Craving Leave to represent to him the most Convenient Places for Ports or places for Lading and unlading Goods and Merchandizes in each Respective County to be appointed by his Lordship to the the End the Bill may be Perfected by his Lordships Assent thereunto—

Signed p. Order John LLewellin Cl of Assembly

A Bill for Naturalization of William Blankinstein read and passed in these Words (Viz^{t})

October 31 1682 Upper house have Assented

Signed p. Order J LLewellin Cl of Assembly

The Bill for Advancing the Trade of Tobacco together with the Message of this house thereon, and the Bill for Naturalization of William Blankinstein all sent to the Lower house by Coll William Stevens, Coll William Digges, Major Nicho^{s} Sewall: Coll Stevens Coll: Digges and Major Sewall return from the Lower house. p. 443

A Petition Preferred by Capt: Ninian Beale of Calvert County Concerning his Mill in the Western Branch of Patuxent River Built upon Land Belonging to the Widdow and Orphans of Edward Keene Deceased for which he had not Sued forth his Writt of ad Quod Damnum before the End of the Year 1672, as by Act of Assembly was required, wherefore he prays the Revival and Amendment of the said Act with Convenient time to be allowed him for Suing out Such Writt—

Read in this house and Sent by Coll Darnall to the Lower house with the foll Message

U. H. Journal 1659–98

Upper house 31 October 1682

Upon Consideration of the Petition of Captain Ninian Beale this house are of Opinion that not only the Petitioner but all those who have Built Mills since the Year 1672 upon the Encouragement of that Act for Building Water Mills do stand in need of another Act of Assembly to Secure their Titles, because the last Clause of the said Act could never be revived by any Act of Revivall, nor Availe the Builders, unless it had Expressly Named a Time then to come at the Several revivings of the said Act, before which the Builders should Sue out their Writts as in that Act is appointed which is omitted and therefore this house requests the Lower house to Join with the Upper house in Securing the Defective Titles of those that have already Built Water Mills upon Confidence of the aforesaid Act.

Signed p. Order John LLewellin Cl of Assembly

Coll Stephens and Coll Tailler Sent to the Committee of Accounts

Captain Richard Hill by his Petition Exhibited prays allowance out of the Publick Levy for Disbursments by him made in a Late Expedition to New York p Order of his Lordship which Petition being read in this house was thus Subscribed (Viz^{t})

Upper house 31 October 1682

The Consideration of this Petition is recommened to the Lower house, this house being ready and willing to Join with them in any reasonable Allowance they shall think fitt to make the Petitioner

Signed p Order J LLewellin Cl of Assembly

Delivered to Captain Hill to Carry to the Lower house

The Upper house Adjourns till to Morrow Morning Eight a Clock

November the 1st 1682 Upper house Mett

Present

The Honourable

Philip Calvert Esq^{r} Chan^{o}	Coll: William Stevens
Coll: Thomas Tailler	Coll William Diggs
Coll Henry Coursey	Coll: William Burges
Coll: Henry Darnall	Major Nicholas Sewall

Adjourn for an hour

Met again according to Adjournment present as before

Enter Coll: Vincent Lowe and takes his Place—

Adjourn for two hours—

Mett again as per Adjournment Present as before. U. H. Journal 1659–98

Came from the Lower house Mr Robert Carvile, Mr John Rousby, Capt John Osborn Captain Richard Hill and Mr Henry Hosier and Delivered these following Bill and returned to their house Vizt p. 444

An Act for Naturălization of William Blankinsteine thus Subscribed

1 November 168 the Lower house have Assented
Signed p. Order Tho Grunwin Clerk—

An Act directing the Manner of Electing and Summoning Burgesses Delegates and Representatives to Serve in Succeeding Assemblys thus Subscribed Vizt

1 November 1682 Lower house have Assented
Signed p. Order Tho. Grunwin Clk

Adjourn till to Morrow Morning Eight a Clock

November the 2d 1682 Upper house Mett

Present

The Right Honourable the Lord Proprietary

The honourable

Philip Calvert Esqr Chan	Coll William Stevens
Coll: Thomas Tailler	Coll William Digges
Coll Henry Coursey	Coll: William Burgess
Coll: Vincent Lowe	Major Nicholas Sewall
Coll: Henry Darnall	

A Message from the Lower house p. Mr Thomas Burford &t which they Deliver and return being as followeth Vizt

To the Right Honourable the Lord Proprietary

The Humble Address of the Delegates and Deputies of the Lower house of Assembly

May it please Your Lordship

We Your Lordships most Humble Servants the Deputies and Delegates now Assembled being resolved to Demonstrate that Duty and Affection we really Owe and Bear to your Lordship, have most readily and Chearfully (Notwithstanding We find Ourselves thus Lessened from the Number Accustomed) taken in hand and proceeded upon those Matters recommended to Us By Your Lordship at the Opening of this Assembly as the true Causes of Conveening thereof; And my Lord We Begg and hope that We may with Your Lordships favour and

U. H. Journal 1659–98 Good liking Discharge Ourselves faithfully in that Trust reposed in us by the freemen of this Province, who Notwithstanding they have Complyed with Your Lordships Writts for Election in Chooseing Two Deputies or Delegates for each County thereby Sufficiently Empowering us to Advise and Consent to and with Your Lordship upon the Urgent Affairs of this Province yet they have given Instruction to their severall Delegates to pray and make Provision that they may be restored to their former freedom of Choosing and electing the accustomed Number of Delegates for each County to be the representative Body of this Province and having taken the whole Matter into Our Serious Consideration as well those reasons Given by Your Lordship as the Desire of the Freemen aforesaid; And being Confident in your Lordships Word that you design nothing but the ease of the Inhabitants, and
p. 445 Lessening the Charge that might Acrue by a Greater Number; We have Studyed by avoiding all Obstinacy to your Lordships Design to find out an Expedient that may as well fully Comply with your Lordships good intentions and Satisfie the Minds and Desire of the People, and this by a Bill Directing that all Writts for the future, may go out for the Electing of Two three or four Delegates for each County at the Choice of the Freemen thereof; And this may it Please Your Lordship We most Humbly Advise to be the most Honourable and safest way as well for your Lordship as Ourselves, And We doubt not that when it shall thereby Appear without all Contradiction to the Freemen of this Province, that Your Lordship designs Nothing therein but the Ease and welfare of the Inhabitants they will readily Consent and Agree to Elect such and So Many as they find Agreeable to your Lordships Desires for that End; Thus may it please Your Lordship having most humbly presented Our so reasonable Desires we doubt not of Your Lordships Gacious Condescention; And We shall always pray for Your Lordships Long and happy Dominion over Us—

Signed p. Order Tho Grunwin Cl of the Lower house of Assembly

Upper house Adjourns for two hours.

Upper house mett according to Adjournment.

Present as before—

A Message from the Lower house p Mr Thomas Burford and Mr William Peirce which they Deliver in two Papers and return to their house being as foll. Viz^{t}

Lower house 1. November 1682 U. H. Journal 1659–98

Forasmuch as it doth not appear to this house upon the Petition of Captain Ninian Beale, and Message of the Upper house thereupon, that the Petitioner hath followed or Pursued the former Act of Assembly in his Petition Mentioned, therefore do not think him relieveable or fitt to be relieved by a New one—now to be Made—

Signed p. Order Thomas Grunwin Cl of the Lower house

Lower house 1 November 1682

This house have Considered of the Vote of the Upper house of the 30th of Octo[r] last relating to the Gratuity to be given to Coll Henry Coursey and Collenel Philemon LLoyd for their Good and Effectuall Service in their late Embassy to the Northern Indians, and thereupon Voted that there be given to each of the aforesaid Gentl: forty thousand pounds of Tobacco for their respective Good Services in the aforesaid Negotiation with the Northern Indians & herein desire the Concurrence of the Upper house—

Signed p. Order Tho Grunwin Cl of the Lower house

To the foregoing last Paper this house return Answer as foll: Viz[t]

Upper house November 2[d] 1682.

This house having read a Message from the Lower house dated the first Instant relating to a Vote of this house dated 30th October last past; by which this house Voted Twelve pounds of Tobacco p Poll to be given to Coll: Henry Coursey and Coll: Philemon Loyd for their effectual care in the Negotiation with the Northern Indians, and their Good Husbandry of the Publick Money; this house do a little Wonder why the Lower house have waved the way by us proposed to raise the said Gratuity, and given a less Testimony of their good likeing of their Proceedings then this house have done, when they must have paid the Expence of those Gentlemen had it been more than it is, And therefore Considering the Good Husbandry of those Gentlemen, the Effectuall Prosecution of their Negotiation and the Good Correspondence that ought to be Maintained Between these two houses, We desire the Lower house will reassume the Debate of that Business, and Concurr with this house in giving the said Gentlemen Twelve pounds of Tobacco p Poll, which this house think they well Deserve and is so small a Matter more than what the Lower house propound for a reward of Honourable and Successfull Endeavours for Our peace and Tranquility p. 446

Signed p Order J LLewellin Cl of Assembly

U. H. Journal 1659–98

Sent to the Lower house p Coll: Henry Darnall & Major Nicholas Sewall

Coll: Darnall and Major Sewall return from the Lower house

Upper house November the 2d 1682

This house taking into Consideration the Business Relating to Jacob Young Recommended by his Lordship to the two houses at the Opening of this Assembly and having Transmitted the Papers relating to the Nothern Negotiation with the Indians & their Information against Jacob Young do desire to know whether they have any Articles to Exhibit against the said Jacob Young and further this house do inform the Lower house that his Lordship hath Caused a Special Commission of Oyer & Terminer to issue under the great Seal of this Province for the Tryall of the said Jacob; and do desire to know of the Lower house, whether they will Wave their Priviledge and be so kind to their Country for this once to lett their Members Serve as Jurymen for the Tryall of a Person that hath so basely Betrayed his trust and so ingratefully brought a Charge upon the Province by Instigateing and hireing the Northern Indians to make Warr in this Province—

Signed p. Order J LL Cl of Assembly

Sent to the Lower house p. Coll. Darnall Coll: William Digges and Major Nicholas Sewall, and Voted in this house that if the Lower house will not receive the Messages of this house from the Members of this house with their Swords on, that then all Messages from hence be sent to the Lower house by the Door keeper of this house and Charge given to Coll Darnall Coll Diggs and Major Sewall that if the Lower house will not Addmitt of them with their Swords on they bring back their Message again to this house

Coll Darnall Coll: Digges and Major Sewall return from the Lower house with their Message not being Admitted there with their Swords on

Came Philip Lynes of Charles County and by his Petition preferred to this House prayed the hearing of a Writt of Error by him brought against a Judgment Obtained by Henry Hardy against him in the Provincial Court, The Errors filed and Depending in this house which Petition was thus Subscribed Vizt

Upper house November the 2d 1682

This house are willing to hear the Errors whenever the Lower house will Please to Spare the Attorneys Members of their house to Come and Argue the same.

Signed p. Order J LL: Cl of Assembly

The aforesaid Petition and Answer of this house delivered to the Petitioner himself to Carry to the Lower house— U. H. Journal 1659–98

The above Message relating to Jacob Young sent again to the Lower House by James Erfingston thereunto Especially Appointed by this house— p. 447

A Message from the Lower house p Mr James Frisby and Mr Miles Gibson which they Deliver in Writing and return to their house being as foll (Vizt)

Lower house 2 November 1682

This house have reassumed the Debate of the Gratuity to Coll: Coursey & Coll LLoyd upon a Message this Day received from the Upper house by Coll: Darnall, and do Concurr with the Upper house that Twelve pounds Tobacco p. Poll be given to the said Agents for their effectual Care in the Negotiation with the Northern Indians—

Signed p. Order Thom: Grunwin Cl of the Lower house.

John Saxon the Door keeper of this house Sent to the Lower house for James Erfingston not being yet returned from thence—

John Saxon returns from the Lower house together also with James Erfingston and the Message by him Sent from this house the Lower house refusing to Accept thereof from him

The house Adjourns till to Morrow Morning Eight a Clock

November 3d 1682 Upper house Mett

Present

The honourable

Philip Calvert Esqr Chan.
Coll Thomas Tailler
Coll Vincent Lowe
Coll Henry Darnall

Coll William Stevens
Coll William Burges
Major Nicholas Sewall

A Message from the Lower house p. Captain Richard Hill & Mr Francis Hutchins which they deliver and return to their house being the Bill for Advancing the Trade of Tobacco together with the Report of their Committee of Trade & request of the Lower house thereon.

November the 1st 1682

By the Committee of Trade

Present

Mr Rober Carvile Chairman
Mr John Rousby—

Mr Hosier
Capt Osborne

Upon perusall of the Law sent from the Upper house Entituled an Act for the Advancing of Trade of Tobacco.

U. H. Journal 1659–98 Agreed that it be Necessary and Convenient that Ports and Places for Trade be made and Appointed within this Province, and that they will tend much to the Honour Saefty and Security of the Province and Advancement of Trade

1. That We humbly Conceive the Title of the Bill may be better thus, An Act for Advancement of Trade, Tobacco being too particular, and the word Trade will Comprehend all Commodities whatsoever—

2[d] That We Conceive the time Limitted for Ships and Vessels to putt on Shoar and unlade at such Ports and Places is too Short, and that instead of those words from & after the 10th of October 1683 it will be better to say from and after the last Day of August 1684 & likewise that the Act be Amended in that Particular, in the 19th 30th & 31[st] lines of the Bill—

3[d] And where it is said in the 12th Line of the said Bill at such place or places only as shall be Appointed by his Lordship, The Committee humbly Offer it to the Consideration of this house, whether it will not be Necessary that his Lordship
p. 448 be Moved, that he would take the Advice of this house, or the Commissioners of the respective Counties, before the said Ports or places be by his Lordship Appointed, To the End there may be such and so may Ports and Places Convenient in each County as may Suit with the Conveniency of the Inhabitants of Each respective County

4[th] That after the Ports and Places are appointed as aforesaid, Some Rule or Establishment may be appointed in the said Act, how, by whom, in whose Name, and for whose use such places shall be purchased, what Quantity of Acres and how to be Divided, and what evey man must pay for his Dividend and Settle the Surveyors fees for laying out the whole and Making Divisions—

5[th] The Committee thinks fitt that this Proviso be Added after the End of the 26th Line after the Word Notwithstanding Provided that Nothing in this Act Contained shall restrain or be Construed to Restrain or hinder any of the Inhabitants of this Province with any the Goods or Merchandizes bought at any the Ports or Places aforesaid, or with Goods and Merchandizes by them Purchased or Imported and Landed at any the Ports or places aforesaid to buy and purchase at their own and other Plantations out of the said Ports or Places Necessary Provisions of Meat and Drink for themselves & families and not otherwise any thing in this Act before Contained to the Contrary in any wise Notwithstanding

6[th] The Committee Conceive the Word immediately in the 33[d] Line were better to be left out.

7[th] The Committee humbly Conceive the last Clause in the said Bill ought to be left out for that they think it Necessary

that all goods and Commodities whatsoever be Landed at such Ports and Places Appointed as aforesaid— U. H. Journal 1659–98

8th The Committee referr it to the Consideration of this house how the Planters Tobacco shall be brought to the Ports and Places aforesaid and when brought how the Same shall be Secured and that the price of Storage may be Settled

9th They also referr it to the Consideration; how his Lordships Rents, and publick Levy's, and all the Officers fees which are due upon Execution, and old Debts shall be paid and Collected—

10th They humbly Conceive that this Act nor any thing therein Contained shall not give Liberty to any Person or Persons whatsoever to Export out of this Province any Goods or Commodities by Law of this Province prohibited to be Exported, nor any ways Repeale or sett aside the Law and Act against Ingrossers

Signed p Order of the Committee Thomas Bland Cl:

Lower house 2 November 1682

This house lately received from the Upper house a Bill Entituled an Act for Advancement of the Trade of Tobacco, and Committed the same to the Consideration of a Committee for that Purpose, who have brought into this house the said Act and also some Alterations and Queries of the said Committee which they reported to this House, and now this house doth send the said Act with the said Alterations to the Upper house; Desiring the Upper house to Appoint Some Members of their house to joyn with the said Committee of this house to Consult further the Act & Alterations aforesaid, in and to the perfecting and finishing the said Bill—

Signed p. Order Tho Grunwin Cl of the Lower house.

Upper house 3d November 1682—

This house have Appointed the Honourable Coll Vincent Lowe, & Coll William Burgess Members of this house to Join in Committee with some of the Members of the Lower house to Consider of and perfect the Act for Advancement of Trade, to meet for that Purpose forth with at the house of Mrs Cordea p. 449

Signed p. Order J. LL Clk of Assembly

The foregoing Message Sent to the Lower house p. Coll. William Stevens, and this house proceed to the Drawing up of Instructions for Coll: Lowe and Coll Burges in relation to the Bill for Advancement of Trade (Vizt)

Instructions for the Members Committees of this house to Consider of the Bill for Advancement of Trade (Vizt)

1st Lett the Title be Altered

U. H. Journal 1659–98

2 Lett the Act Commence from the last of August 1684

3 We Agreed to this when We sent the Act down to the Lower house, and We will Ioin with the Lower house to Petition his Lordship that both houses may Name the Ports.

4 Tis fittest the Land be Conveyed to his Lordship for the use of the respective Counties, but if this please not, lett the two houses Name the Trustees; Lett the Ports Contain any Number of Acres (not Exceeding fifty in any Port) as the Place will Admitt If the Lands to be Appointed are to be purchased lett a Writt of ad Quod Damnum issue, and what the Jury find shall be paid to the owner by the respective Counties, in which the Lands shall Lye if the Lands be free to be taken up lett his Lordship be Petitioned to give the Lands upon reasonable Rent; Lett four hundred pounds of Tobacco for Setting out the Port and fifty pounds of Tobacco p. Lott be the Surveyors fees Lett every Lott be half an Acre—

5 Let That Clause be Added—

6 Lett immediately be blotted out in the 33^{d} Line

7 Lett the last Clause be struck out.

8. The Goods must be brought to place as the Scituation of the Port will Admitt, either p. Land Viz^{t} Cart; or in Sloops, Boates, or Vessels by Water, Storeage Ten pounds Tobacco p. hhd for any time not Exceeding one Year.—

9 for any Debt already Contracted, let it be paid according to Contract, and let the Receiver bring the Goods to the Port as the Act requires—

10th Twas never the intent of this house to Sett a side those Laws.

Signed p. Order John LLewellin Cl of Assembly.

Came Robert Jones Gent. Deputy Surveyor of Calvert County being Admitted and by his Petition to this house Craves Allowance of 1600 ^{lb} Tobacco out of the Publick for three Resurveys by him made in Battle Creek p. Order of this house the last Sessions of Assembly which Petition being read was thus Subscribed Viz^{t}

Upper house 3 November 1682—

Lett the Petitioner make his Demands of the County for whose Benefit the Resurveys have been made

Signed p. Order John LLewellin Cl of Assembly

Delivered back to the Petitioner—

p. 450 Coll Stevens returns from the Lower house

A Message from the Lower house by M^{r} Bartholomew Ennalls and M^{r} Clement Hill which they Deliver being Contained in the following Papers Viz^{t}

U. H. Journal 1659–98

Lower house 3 November 1682.

This house desire to know whether the Upper house will be pleased to appoint a Member of their house to Join with two Members of Ours for the Drawing the Reviving Bill—

Signed p. Order Tho: Grunwin Cl of the Lower house

Lower house 3 November 1682

This house taking Notice at the Opening of this Assembly that his Lordship was pleased to Speak Concerning Jacob Young now a Prisoner, and having as yet Nothing Communicated from his Lordship or the Upper house relating to him & having had before them several Informations against him do desire to know from the Upper house whether the Upper house think fitt to Communicate any thing further to this house Concerning the said Prisoner—

Signed p. Order Tho Grunwin Cl of the Lower house

In Answer to the last Message of the Lower house was Delivered to M^r^ Ennalls and M^r^ Hill the Message of this house sent them Yesterday by James Erphinston and returned again to this house as not Accepted of by the Lower house from the said Erphingston—

M^r^ Ennalls and M^r^ Hill receive the same and Carry to their house

It is brought back again from the Lower house p. M^r^ Clement Hill for that he had no Commission from that house to receive it, He Delivers it in to this house and returns to the Lower house—

A Message from the Lower house p M^r^ James Frisby and M^r^ Leonard Green which they Deliver and return to their house Contained in the Words foll: (Viz^t^)

Lower house 3 November 1682

This house not only Considering the Season of the Year as to their own particulars, but of the great Charge daily Accruing to the Publick as well by Ourselves as by the Genl. of the Upper house, do desire the Dispatch of all Business before us, thereby to make this Sessions as Short as Possible may be, and for that Purpose do desire Answer of those things before the Upper house from this house and what further they please to Communicate—

Signed p. Order Tho: Grunwin Cl of the Lower house

Voted in this house that no Member whatsoever of the Lower house be at any time during the Sitting of this house, Admitted into this house with his hatt on—

Adjourn till to Morrow Morning Eight a Clock

U. H. Journal 1659–98

November the 4th 1682 Upper house mett

Present

The honble

Philip Calvert Esq[r] Chan
Coll Thomas Tailler
Coll Henry Coursey
Coll Henry Darnall
Major Nicholas Sewall

Coll Vincent Lowe and Coll William Burgess upon the Committee of Trade

Upper house 4th November 1682.

p. 451 In Answer to the Message of the Lower house relating to the Bill for Electing and Summoning Burgesses and Delegates and Representatives &a: This house do say that after the Transmitting the said Bill to this house from the Lower house; there was Delivered an Address from the Lower house to the Right Honourable the Lord Proprietary while he was present in the Upper house relating to that Bill as this house cannot but Confess that the Lower house did rightly Apply themselves in that Address so we must Desire them to Expect the Answer of his said Lordship to their Address, who may perhaps by his undoubted right Settle the Matters in that Bill Contained by Instrument under his Great Seal, or otherwise direct the two Houses to form his Pleasure therein into a Bill to be passed by him with the Consent of the Two houses (who Legally Represent the Freemen of this Province) into a Perpetuall Act—

Signed p Order J LL Cl of Assembly

Upper house 4th November 1682.

This house having duely weighed the Crimes of Jacob Young Committed are of Opinion that they are in themselves high Treason, could they be proved by two Witnesses Viva Voce upon Oath but such two Witnesses are not to be had they being Indians and far distant from us this House is Likewise of Opinion that the said Jacob is a Person so dangerous for his Malice and power with the Indians that he is not fitt to Live att liberty, and this will appear by the Depositions taken by the Attorney General which he is Ordered to Communicate to the Lower house Wherefore We are of Opinion that it is Safest for the Province, for the Lower house to Impeach him for his high Misdeameanours before the Upper house, that so the two Houses may Join in the certain Evidence we have to Confine him for Life; though We cannot take his Life away by any Act in force for Treason at this Day; and desire the Answer of the Lower house in this affair so to Conclude this Sessions—

Signed p. Order J LL Clk of Assembly—

The two preceeding Messages sent to the Lower house p. Coll Coursey— U. H. Journal 1659–98

Coll William Stevens & Coll William Digges Enter the house

Coll Digges p. Order from his Lordship produces the Address of the Lower house to his Lordship Touching the Bill for Electing and Summoning Delegates &t together with his Lordships Answer thereunto in the following Letter Vizt—

Gentlemen

Tis with very great trouble that at any time I am Compelled to Deny a request made by the Delegates and Deputies of this Province, and I am the more at this time, in regard that my not Answering your desires in your Late Address I shall run some hazard (as by the same you seem to hint) of having my Good Intentions towards the Freemen of Maryland called in Question by you, however I must resolve to return you this Answer, that I think your late request is of that Nature, that it will as well be inconvenient for the Freemen to accept, as it may be dangerous for me to Grant: What Priviledges and Powers I have by my Charter are from the King, and that of Calling of Assemblies in such manner and way as I shall think fitt being an undeniable one amongst the rest, I cannot Deem it Honourable Nor safe to Lodge it in the Freemen as p. 452 you have desired, for it would be as reasonable for me to give away my Power of Calling and Dissolving of Assemblies, as to give that of Choosing the Number of Delegates, and such Persons as think much I should hold my Power in the Latter would not long be Satisfied afore they requested the power from me of the former: against this I cann have no Assurance should I once grant what you have so unkindly desired: Therefore I hope you will not hence forward press any thing of this Nature to me, being resolved never to part with Powers my Charter gives me but always to Exercise them for the Ease and welfare of the Freemen under my Care, and by so doing I shall ever be left able to render a good Account of my great Charge here to my Sovereign Lord the King, by whose great grace favour and Goodness I enjoy all I have And So I rest

Your very Loving friend

Mattapony 3d Novr 1682 C: Baltimore

For the Speaker and the rest of the Genl.
of the Lower house of Assembly—

Coll Henry Coursey returns from the Lower house

Came on a Message from the Lower house Mr Thomas Burford to acquaint this House that they did Concurr with the Opinion of this house in drawing up Articles of Impeachment against

U. H. Journal 1659–98

Jacob Young and desired that Coll Henry Coursey might not be Dismissed or Spared out of this house untill such time as the Lower house had heard what he could Say in the Business

Mr Burford having Delivered his Message returns to the Lower house

This house Send Answer by Coll: Coursey as followeth (Vizt)

Upper house 4th November 1682

The Honourable Coll Henry Coursey according to the Desire of the Lower House hath been requested by this house to acquaint the Lower house with what he knoweth or can say Concerning Jacob Young, and now goeth to the Lower house to give in his Information—

Signed p. Order J LLewellin Cl of Assembly

Coll Henry Coursey craves the Opinion of this house whether if he be not Admitted into the Lower house with his Sword on he may not return again with Delivering his Message—

Voted in the Affirmative that he bring back the Message to this house unless they will receive it from him with with his Sword on

Coll Coursey returns with his Message from the Lower house not being Admitted there with his Sword, but was desired to give in his Information to the Committee

He craveth and hath leave of this house to go home Joshua Doyne high Sheriff of St Maries County by his Petition preferred Craves allowance out of the Publick for attending this Assembly, his Petition read & thus underwritten (Vizt)

Upper house Novemr 4th 1682

The Petitioner being Commanded by his Lordship to attend this Assembly hath accordingly given his Attendance for which this house Conceive he ought to be Allowed The Lower house

p. 453 are Desired to take the same into their Consideration so as to Award him a reasonable Allowance

Signed p. Order J LL Cl of Assembly

Which Petition and Subscription was Delivered to the Petr to Carry to the Lower house

A Message from the Lower house p. Mr John Rousby and Mr Clement Hill which they Deliver in Writing and return to their house being as foll (Vizt)

Lower house 4th November 1682.

Whereas this house did by Mr Attorney General acquaint the Upper house that this house did Concurr in Opinion with

the Upper house in relation to the Message received by this house about Jacob Young, and that this house were resolved to proceed to Impeach the Said Jacob Young, and this house have accordingly proceeded to Nominate a Committee to Draw up the said Impeachment, but being given to understand that Coll Coursey who is the principall Evidence against the said Jacob Young is going from the Assembly this house desire the Upper house to Order Coll. Coursey to Stay and give in his Evidence against the said Jacob Young, or else the matter of the said Impeachment will be much Lessened in weight and the proceedings thereupon will be much impeded if not wholly frustrated as to any prosecution against the said Jacob Young this Assembly U. H. Journal 1659–98

Signed p. Order Tho: Grunwin Cl of the Lower house

Upper house Novem^{r} 1682

In Answer to the Message last received p. M^{r} John Rousby and M^{r} Clement Hill This house do say that according to the Desire of the Lower house, they sent Coll Coursey to the Lower house to acquaint them with what he knew or could say concerning Jacob Young but not being Admitted he returned again to this house, and is now gone from hence by his Lordships Licence and the leave of this house—

Signed p. Order J LLewellin Cl of Assembly

Sent to the Lower house p. Coll: Digges together with his Lordships Letter this Day received: the s^{d} Coll: Digges having in Charge given him (if he be Admitted into their House) to Communicate to them by Word of Mouth the Contents of the above Message after he hath acquainted them that he hath a Letter from his Lordship to them which he may deliver without going into the house, if the Speaker will Come out to receive it

Coll Digges returns and for Answer Saith that the Speaker out of respect to his Lordship (as himself said) was Commanded by the Lower house to come out & receive the Letter, and as Concerning Coll: Courseys not being Admitted, the Speaker told him that they Apprehended he was sent of a Message to this house, and not to give in his Information against Jacob Young—

Upper house 4th November 1682.

This house desire to be informed of the Lower house, what Measures they have taken, and how farr they have proceeded in the Business relating to a Guard for his Lordships Person and the security of the Magazine, Debated and resolved upon as Necessary by both houses at the Begining of this Sessions—

Signed p. Order J LLewellin Cl of Assembly

U. H. Journal 1659–98 Came Mr Clement Hill from the Lower house Sent to desire this house to Appoint a Member of this house to Join with Some of the Lower house in a Committee for Drawing up the Act of Revivall—

p. 454 Coll Stevens appointed for that Purpose & Ordered to meet them when they are ready

The above Message of this house concerning his Lordships Guard &t tendered to Mr Hill to Carry down to their house he refuses to do the same being forbidden by that house he returns to the Lower house—

Coll Vincent Lowe and Coll William Burgess having adjourned their Committee return into this house. Some of the Members of the Lower house belonging to that Committee being sett out upon another Committee, and the Lower house intending to Appoint Some others of their Members to Supply their Vaccancies.

Came Mr Clement Hill and Captain Richard Ladd from the Lower house and acquaint this house that they were appointed by their house to Join in Committee with Some Member or Members of this house to Draw up the reviving Bill—

Coll Stevens thereunto Appointed by this house they go together

Ordered that Coll Vincent Lowe and Coll William Burgess Continue upon the Committee of Trade, to Join with any Members of the Lower house thereunto appointed

Upper house Adjourns till Monday Morning 8 of the Clock.

November the 6th 1682 Upper house mett

Present

The Right Honourable the Lord Proprietary

The honourable

{ Philip Calvert Esqr Chan. } { Coll. Henry Darnall }
{ Coll Thomas Tailler } { Coll. William Stevens }

Came from the Lower house Mr Richard Hall and Mr Bartholomew Ennalls with Mr Joshua Doynes Petition which they Deliver thus Endorsed Vizt—

Lower house 4 November 1682.

This house had never any Notice that such Command was given to the Petitioner to Attend the Assembly and do Conceive that his Attendance is in the way of his Office as having a Prisoner here and so no Allowance ought to be made.

Signed p. Order Thomas Grunwin Cl of the L H

Tendered to Mr Hall to Carry down to the Lower house the Message of this house of the 4th Instant Concerning his Lord-

ships Guard &c[a] which he refuses to receive not having Commission from their house so to do— U. H. Journal 1659–98

He and M[r] Ennalls return to the Lower house

Came M[r] Clement Hill and M[r] Francis Hutchins from the Lower house and desire the Bill for Electing and Summoning Burgesses &[t] May bé returned them—for Answer told them if any such Bill were in this house it should be sent them they return to their house

The Bill for Electing and Summoning Burgesses &[t] together with the Message of this house of the 4th Instant Concerning his Lordships Guard &c[a] Sent to the Lower house p. Coll William Stevens—

Read an Act for the Clerk of the Councils fees drawn up p. Order of this house

Voted that it be Ingrossed having passed this house Nemine Contradicento

Adjourn for two hours.

Mett again according to Adjournment & Adjourn till to Morrow Morning 8 a Clock

November 7th 1682 Upper house Mett

Present p. 455

The honble

{ Philip Calvert Esq[r] Chan. } { Coll: Henry Darnall }
{ Coll Thomas Tailler } { Major Nicholas Sewall }

A Bill for Naturalization of Rowland Nans of Baltimore County read & pass[d] this house in these Words (Viz[t])

November 7th 1682 Upper house have Assented
Signed p. Order J LL: Clk of Assembly.

Read also an Act Lycencing the Inhabitants and Prohibiting Foreigners to trade with the Indians, the Same passed this house and Ordered to be Engrossed—

Enter Coll: Vincent Lowe and Coll: William Burges from their Committee

Enters also Coll: William Stevens

Read the Act for Advancement of Trade brought into this house by Coll Lowe and Coll: Burgess from the Committee of Trade

The Opinion of this house thereupon Drawn up and Sent to the Lower house p. Coll Stevens together with the Bill (Viz[t])

Upper house 7th November 1682

This house having read the Bill drawn up by the Committee

U. H. Journal 1659-98 of Trade do Vote that the same ought to be Amended in that Clause Allowing ten pounds of Tobacco p hh^d for one Years Storeage, and should be thus Expressed, for and during any time not Exceeding one Year; and desire the Lower house to Join with this house in Supplicating his Lordships Leave to Nominate the most fitt and Convenient places for Towns in each respective County and also to appoint the Comm^rs

Signed p. Order J LL Clk of Assembly

Came M^r William Hatton Captain Henry Smith, Captain John Osborn & M^r Leonard Green from the Lower house and brought with them an Act directing the Manner of Electing and Summoning Burgesses Delegates & Representatives to Serve in Succeeding Assemblies which they Deliver and returned to their House

Coll: Stevens returns from the Lower house & the Bill read.

Came M^r Bartholomew Ennalls from the Lower house for the Book of Laws which is Delivered him and he returns to the house

November the 7th 1682

The Upper house have read over the Bill directing the Manner of Electing and Summoning Burgesses &c^a and do conceive it a Needless Bill, his Lordship having already Settled the Number of the Members to be Elected in every County and City or Burough for the future by an Instrument under his great Seale bearing Date the 6th Day of September 1681 and Published the 17th of the same Month, as we presume many of the Members of this Assembly do remember wherefore this house do send the Originall Instrument to the Lower house that if they please they may Cause it to be Entered in their Journall and return the same again to this house that we may proceed to the other Bills now before us—

Signed p. Order J LL: Cl of Assembly

The Bill Lycencing Inhabitants and Prohibiting Foreigners p. 456 to trade with Indians being Engrossed read the second time and passed in these Words (Viz^t)

November the 7th 1682 Upper house have Assented

Signed p. Order J LL. Clk of Assembly.

The Act for Clerk of the Councils fees read the second time & passed in these words Viz^t

November the 7th 1682 Upper house have Assented

Signed p. Order J LL Cl of Assembly—

Ordered that the Errors Depending in this house between Lines and Hardy be read and Argued in this house; the Attorneys on both Sides and the Parties themselves being Admitted the house proceeds accordingly and have read unto them the Transcript of the Provincial Court, the Errors thereon Assigned and the Defendants Plea thereunto all filed in this house being then and there present (Viz[t])

U. H. Journal 1659–98

The Right Honourable the Lord Proprietary

The Honourable

Philip Calvert Esq[r] Chan[r]	Coll: William Stevens
Coll Thomas Tailler	Coll William Burgess
Coll Vincent Lowe	Major Nicholas Sewall
Coll Henry Darnall	

Ordered that the Attorneys on both Sides speak distinctly to one Error first before they proceed to the next without Disturbing each other—

Moved by a Member of this house and proposed to the Attorneys whether or no they will Abide by the Meritts of their Cause which possibly may be helped by the Statute of Jeoffailes, They referr it to the Board

Ordered that an Order of this house relating to Writts of Error made the last Assembly be read—

The Same is read and thereupon Voted that this house proceed upon the Meritts of the Cause. The Attorneys and Parties on both sides after reading the Several Errors and plea thereunto and what else they had to Alledge, are Dismissed Judgment being Suspended till to Morrow Morning

Adjourn till to Morrow Morning Eight a Clock

November 8th 1682 Upper house mett

Present

The Honourable

Philip Calvert Esq[r] Chan	Coll William Burgess
Coll Thomas Tailler	Major Nicholas Sewall
Coll Vincent Lowe	

Ordered that Copies of the Judgment of this house upon hearing the Errors between Lynes and Hardy be delivered to each Party & Entered as foll Viz[t]

Upper house November the 7th 1682

Wherefore it is Considered and Ordered by this house that the Judgment recovered by the said Henry Hardy against the said Philip Lynes in the Provincial Court so farr forth only as relates to the Costs Allowed to the said Hardy be and is hereby reversed, Revoked and Annulled and that the said Philip Lines

U. H. Journal 1659–98

be unto the said Costs restored and also recover against the said Henry Hardy the Sum of Sixty pounds of Tobacco for Damages by him Sustained with his Costs and Charges by him laid out & Expended in the prosecution of his Writt of Error brought since the Dissolution of the last Assembly.

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Enter Coll Darnall and Coll Stevens to whom is read the Entry of the abovesaid Judgment; To which they Signifie their Assent and Approbation—

This house proceed to take an Account of all the Bills before them being Viz[t]

1 An Act for Naturalization of William Blankinstein passed both houses

2 An Act for the Clerk of the Councils fees passed this house

3 An Act for Naturalization of Rowland Nans passed this house

4 An Act Licencing Inhabitants and Prohibiting Foreigners to trade with the Indians passed this house

Came M[r] Robert Carvile and M[r] Joseph Wicks from the Lower house and Deliver the following Message Viz[t]—

Lower house November the 8th 1682

This house desire the Upper house would be pleased to send to this house the Articles of Peace with the Northern Indians made first at Albany by Coll Coursey and all other Matters Lying before them, relating to Jacob Young, in Order to the Proceeding upon and proving the Impeachment laid against, him and more Particularly the Information or Evidence of Coll: Coursey against him—

Signed p. Order Tho[s] Grunwin Cl of the Lower house

The Articles of Peace made with the Northern Indians p. Coll: Coursey and other the Papers relating thereunto and Concerning Jacob Young in this house are accordingly Delivered to M[r] Carvile, who also produced Articles of Impeachment drawn up by the Committee against Jacob Young which (he said he had in Charge from their house to report to this house) they Conceived might be some what Lame and Defective for want of more Clear Evidence the matter Contained in the Two Affidavits annexed being only Testimony and post facto and not of Validity enough to prove the fact upon which he became Committed; he further Added that the Lower house had taken it very ill that Coll: Coursey the most Material Evidence in so Considerable a Cause wherein the whole Country was Concerned should Notwithstanding their request be Dismissed without giving in his Evidence—

Whereunto replyed by this house that what had been

wanting therein had been clearly by the Means of the Lower house standing so much upon Niceties as not to receive Coll: Courseys Evidence although he was Sent to them from this house for that Purpose, Meerly because he appeared there with his sword on (as this house Conceive he ought) but was referred to a Committee of theirs for Examination— U. H. Journal 1659–98

Mr Carvile then requested that what Coll: Stevens could say Concerning the Behaviour of Jacob Young in the last Treaty with the Northern Indians at the Zachaiah Fort might be taken by the Cl of this house for their Consideration which was promised him should be done

He added also that Thomas Pue who waited on his Lordship could (as the Lower house had recd Information) offer Some what Considerable in Evidence agt the said Jacob Young which they desired might be likewise taken & Communicated to them which was promised should be done so soon as the said Pue was to be mett with

The said Carvile then Delivers an Act for Reviving the Temporary Laws and returns with Mr Wicks to the Lower house

Coll William Stevens at the request of this house writeth his own Testimony Concerning the Carriage and Behaviour of Jacob Young at the Zachaiah fort (Vizt) p. 458

When Coll: Henry Coursey myself and Jacob Young Interpreter were by his Lordship Sent up to Treat with the Northern Indians at Zachaiah in August 1681. after we had Concluded the Severall Articles that did immediately Concern the Christian People of this Province, Coll: Coursey and myself Determined to Discourse the Northern Indians why they Warred with the Pisscattaway Indians, Seeing Coll. Coursey had in a former Treaty made Peace for them; accordingly Jacob Young was Ordered to Speak to them, at which Jacob Young was Disturbed and said (as to the best of my Remembrance) he had rather have given Ten thousand pounds of Tobacco, than have Come to be Interpreter upon that Account or words to that Effect

William Stevens Signed

Novemr the 8th 1682

The Upper house have Considered the words Spoken by Mr Carvile who Shewed to this house the Articles drawn up by the Committee of the Lower house against Jacob Young, Vizt That what was Contained in the two Affidavits taken, which words Spoken by Jacob Young Since his Imprisonment are only Testimonies Ex post facto, so not to be Admitted to prove the fact for which he was Committed (if this house rightly understood him and the Drift of his Speech) and therefore this house do Say that they conceive it Imports litle

U. H. Journal 1659–98

whether the said Words proved by those Affidavits be referred to the fact for which he was Committed or not, Since they are in themselves of a Dangerous Consequence and Criminall, and therefore conceive that the said Jacob ought to be Accused & Punished for them, as much as any person, that is Committed for one Crime and during his Imprisonment Committs another of the same Nature, of which Doubtless he may be Impeached as well as for the first Crime for which he was Committed. The matters of which he the said Jacob stands accused may perhaps as well be proved by Coll Stevens as Coll Coursey and Thomas Pue can prove some of the same things with Coll: Coursey & Coll Stevens and therefore this house have sent Coll Stevens his Testimony and will send Thomas Pue to the Committee, That so we may Secure the Province against the wicked Contrivance of the said Jacob, who hath endeavoured not only to destroy Our peace but Our Persons

Signed p. Order J LL: Cl of Assembly—

Coll Stevens Testimony and the foregoing Message of this house together with a Bill for Naturalization of William Blankinstein Sent to the Lower house by Coll Lowe, the said Bill having past both houses) who hath in Charge to acquaint the Lower house that there are yet three other Bills before this house, Viz[t] one for Naturalization of Rowland Nans, One for the Clerk of the Council's fees, and the other for Lycencing Inhabitants and prohibiting Foreigners to trade with the Indians all Passed this house, and to desire them to send up to this house the Bill for Ports now in the Lower house—

Coll Lowe having accordingly Delivered his Message returns into this house with Answer that they will send by a Messenger of their own.

A Message from the Lower house by Doctor John Brooke & M[r] Francis Hutchins which they Deliver written & returns to their house being as foll Viz[t]

p. 459

Lower house 8th November 1682

This house have received from the upper house a Bill prepared by a Committee of both houses Entituled an Act for the Advancement of Trade which hath been twice read in this house, and upon full Debate thereof this house do find the same is Necessary to be Amended in Severall Particulars which will take long time in doing, and the same Act to be of great weight and requires longer Consideration than can be Spared at this time, therefore have Voted that the further Consideration and Debate thereof be referred to the next Sitting of Assembly—

Signed p. Order Tho[s] Grunwin Cl of the Lower house

And this house desire an Answer to the Bill of Elections now in the Upper house U. H. Journal 1659-98

Signed p. Order Thomas Grunwin Clk

Came M^r^ Miles Gibson from the Lower house with the Bill for Naturalization of Rowland Nans of Baltimore County which he Delivers and returns being thus Subscribed (Viz^t^)

8th November 1682. Lower house have Assented

Tho^s^ Grunwin Clk.

Upper house November 8th 1682

The Second instant this house received a Message from the Lower house Concerning the Bill for Advancement of trade, by which they inform this house that they have Committed the said Bill & sent us the proceedings of the Committee; and desired the Upper house to appoint some of the Members of Our house to join with the said Committee to Consult further the said Act and Alterations in Order to the perfecting and finishing the said Bill, by which in order of good Reasoning The Lower house may rationally be said to have Voted all those Amendments reported by their Committee—

That Committee agreed that it be Necessary and Convenient that Ports and Places be appointed, and that they will tend much to the honour Safety and Security of the Province, and then Vote diverse Amendments to all which Amendments this house first by their Committee Agreed and afterwards upon reading the Bill in this house, So that the Bill is by Vote of both houses Necessary, and that for the honour & Safety of the Province, and shall we after Eight Days Spent upon it forgett it to be Necessary for Our Defence, and lay it aside quite after twice reading in the Lower house, because they say it is Necessary to be Amended in divers particulars; This house do say they are ready to Consent to any Amendment now as they were at first, and desire to know whether it ought to be Amended that they may Join with the Lower house in the Amendment of a Bill by both houses Voted Necessary for the Safety and Security of the Province, that ought to be Our Chiefest care, and ought not to be left off for the Debate of a few hours; Now we have spent so much of the Publick Money in the Prosecution of it to this Point, and that it is so farr Advanced; Wherefore this house desire to know wherein the Lower house desire to have the Bill for the Advancement of Trade of this Province Amended, or else that they will pass the Bill as it is and leave the Amendments to the next Meeting of Assembly, that so the places being known Building may go forward, and the Inconveniencies ariseing upon this Bill

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may the sooner be found and Consequently Remedyed; Since it ought not be Surmised, that either of the houses will Obstinately refuse their Concurrence to promote so great a Good as the Safety of the Province, to which this Bill tends by the Vote of both houses

Signed p. Order J LL Cl of Assembly

Sent to the Lower house by Coll Stevens

Coll Stevens having delivered the foregoing Message to the Lower house returns again to this house—

Came Mr James Frisby and Mr William Pierce from the Lower house with the Bill Lycencing Inhabitants and prohibiting Forreigners to Trade with the Indians, which they Deliver together with the following written Message and return to their house Vizt—

Lower house 8th Novemr 1682

This house do say that if the Bill for Trade with the Indians be drawn pursuant to the Title thereof lycencing the Inhabitants of this Province to trade with the Indians and prohibiting Foreigners then this house are willing to pass the said Bill into an Act with paying every Twentyeth part to his Lordship for a Custom as in the said Bill is Expressed, forfeiting all such Goods as shall be Attempted to be transported Contrary to the true meaning thereof; with a Provisoe not to repeale an Act Prohibiting trade with the Indians of any flesh dead or alive saving Deer or Wild fowle, and with a Clause for repeale of the Act in Governor Stones time &c:

Signed p. Order Thos Grunwin Cl Lower house.

Voted that the said Bill be Amended accordingly his Lordships 20th part to be Secured by Seizure, Coll: Tailler and Coll: Stevens appointed to draw up the Bill with the Amendments aforesaid

Adjourn till to Morrow Morning 8 a Clock.

November the 9th 1682 Upper house mett

Present

The Honourable

Philip Calvert Esqr Chan	Coll William Stevens
Coll Thomas Tailler	Coll William Burges
Coll Vincent Lowe	Major Nicholas Sewall
Coll Henry Darnall	

The Act Lycencing Inhabitants and Prohibiting Foreigners to trade with the Indians new drawn up read and passed this

house, transmitted by Coll Stevens to the Lower house together with this following Message Viz[t] U. H. Journal 1659–98

Upper house November the 9th 1682

The great Disquiets that arise by some traders that go from Town to Town amoṅgst the Indians raising false Reports to the Endangering of the publick Peace, was the reason why this house thought fitt that no Inhabitant of this Province should trade amongst the Indians without Licence, and Security given for the 20th part and are of the same Opinion Still, they are willing to insert a Provisoe not to repeale the Act against Trading for any Flesh Dead or Alive with the Indians &c: And if the Lower house will Consent to this, This house will Cause the Provisoe by them in that Case desired to be Inserted; And the Act to be fairly Engrossed. And the Act p. 461 for Trade with the Indians to be repealed; This house think it also Necessary that another Act Touching Pagans made Anno 1647 be also repealed; Foreigners we Conceive are Prohibited effectually, and therefore desire the Lower houses Concurrence to this Bill—

Signed p. Order J LL Cl of Assembly.

Coll: Stevens returns from the Lower house—

Taken into Consideration by this house a Bill drawn up the last Assembly by the Upper house Entituled an Act prohibiting unreasonable Tares of hhds, and for punishing false package of Tobacco, and the severall Debates in both houses of Assembly thereon, and upon perusall of the Journal of the Upper house it appeared that the Lower house by their Message of the 13th May 1682 Entred in the Journal of the Upper house of that Assembly fol 52. left it to be the first thing to be Considered at the next Sessions—

Voted that Copy of the said Message be sent down to the Lower house to putt them in mind thereof which was done as foll (Viz[t])

Lower house 13th May 1682

This house have sent to the Upper house their Bill against false package of Tobacco and tare of hhds with a Bill from this house against the abuse of the Tare of hhds and do assure the Upper house they have Severall and many Debates from time to time Concerning false package of Tobacco and Severall Committees, and a Law drawn up by our own Committee, but at last could not agree of the way to remedy this abuse but do leave it to be the first thing Considered at the next Sessions of Assembly

Signed p. Order Tho[s] Grunwin Cl of the Lower house

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Upper house November the 9th 1682

By which it appears that last Assembly there was great Debate about the Bill propounded by this house prohibiting unreasonable Tares of hhds and for Punishing false package of Tobacco, and we had the promise of the Lower house that that Business should be taken into Consideration the first thing the next Assembly This house wonder they hear nothing of that matter being of so great Concern to the Trade of the Province—

Signed p. Order J LL Clerk of Assembly

Sent p. Coll Lowe to the Lower house

A Message from the Lower house p. Mr William Peirce & Mr James Frisby which they Deliver in writing and return to their house being as foll (Vizt)

Lower house 9th November 1682

In Answer to the last Message relating to the Bill for Advancement of Trade This house do say that the severall Alterations Amendments and Queries brought in by the Committee were never Voted by this house; Conceiving Severall of the Same to be too generall and undigested to be putt to the Question in this house, yet out of respect to the Bill (as coming from the Upper house) resolved to give it a Second Committment and for dispatch sake (which we then thought was desired by the Upper house as well as this) Moved that some Gentlemen of the Upper house might Joyn in that Committee; To the end that by a readier understanding from both
p. 462 houses the Bill might have been Speedily finished in Terms as well respecting The ease Commodity and Benefitt of the Commonalty as the honour of the Province But this house finding after so many Days Spent thereupon (as is Granted by the Upper house to the publick Cost) that severall most necessary Alterations, and Amendments were Still wanting, did Conceive (in Order of good reasoning) that by a third Committment thereof Eight Days more might be spent without making Sufficient provision in all Cases Necessary for a Design of this weight and Moment, and Since so great Delay can be no ways tollerable at this time, this house rather Chose (then a Bill so much desired by the Upper house should be rejected) to deferr it untill another Sessions; This house being still firmly resolved to stand to the Vote of this house Yesterday sent to the Upper house by Mr Hutchins and Doctor Brook

Signed p. Order Tho: Grunwin Cl of the Lower house

Together with the foregoing Message was also brought this following Paper of Amendments (Vizt)

Several Amendm^ts^ Necessary for the Bill for Advancement of Trade— U. H. Journal 1659–98

1^st^ In the Second and third Article for Purchasing of Town Land, there is no saving for any Mans Dwelling Plantation which seems Severe to be Compelled from him against his Will—

2^d^ In the fourth Article Notwithstanding every person that may happen to be Concerned must Submitt to part with such Land as shall be made Choice on by the Commissioners, yet there is no ready payment proposed, but every such Person left to be paid in such Parcells and at such rate as every Lott shall be taken up of which Payment he is noways Secured;

3^d^ That if the said fifty Acres be Divided into one hundred Lotts of half Acre in a Lott, then no Streets can be Admitted, if Streets first Laid out, then every Lott will be too small for the Building a Dwelling house, Warehouse and Necessary Yard; which must certainly Discourage every Person Settling in the said Towns—

4th The Matter contained within the Parenthesis in the 10th Article is hardly good Sense, Seeming to Oblige the Owners of the Severall Goods & Merchandizes to be Delivered at the Towns, whereas We Suppose it is intended that the several Toba^o^ or other Goods should by the owners thereof be brought to the Towns before any Sale or Disposall made thereof, and not that any Tobacco or other Goods should be first sold and then fetcht by the Purchaser, and barely Delivered at such Town by such Purchaser and immediatly Shipped again Contrary to the Design of this Act, which Notwithstanding will be putt in generall practice if not well provided against

5th By the words of the 12th Article the Sheriff or Collector of the Publick dues are Obliged to Disburse their whole Sallaries for the Transporting such Publick Debts to the Town whereby nothing will remain to themselves for their Collections

6th By the 11th Article Any Person that shall Build a house in the Town Pursuant to this Act, may have his own Tobacco Shutt out by the first Comers, and yet he made lyable to secure their Tobacco, Enough to sett the Inhabitants together by the Eares—

7th That the Delegates for the Severall Counties (without having first well Considered and Advised upon it in their Counties) Cannot take upon them to advise his Lordship to pitch upon any Certain places for Towns & Ports as aforesaid p. 463

8th It appears upon the whole that notwithstanding it is intended that no Planter may Dispose of his Tobacco at home as heretofore used, under the Penalty of forfeiting it, yet is there no reasonable way laid down how he shall be Enabled to bring it to the Town, or house, and Secure it when brought there—

Signed p. Order Tho Grunwin Cl of the Lower house

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Coll Lowe returns from the Lower house.

A Message from the Lower house by Mr Robert Carvile, which he delivers to this house being the Articles of Impeachment against Iacob Young upon which the Lower house resolve to proceed; and desire that Iacob Young may have timely Notice given him and a Day appointed by this house for his Tryall, They likewise desire an Answer to their Bill for Electing and Summoning Burgesses &c[a] having layn a long time in this house, This house will send them an Answer in Convenient time—

Mr Carvile returns to the Lower house

Articles of Impeachment Exhibited to the Right Honourable the Lord Proprietary in his Upper house of Assembly, by the Delegates & Deputies of the Lower house of the Same Assembly against Iacob Young of Cecil County Planter.

We the Delegates and Deputies of the Lower house of Assembly Seriously Considering the many Evils and Mischiefs which this Province hath of late years Suffered; for Speedy Redress thereof, and for taking away the Chief Cause thereof, and for preventing of the like to come for the Safety of the said Lord Proprietary and the Good People of this Province Do hereby Shew and declare against the said Iacob Young the Crimes enormities & other Offences in the Articles following Comprised, and him the said Iacob Young of the said Crimes enormities and Offences we do accuse and Impeach that is to Say

first That the said Jacob not regarding nor weighing the due Obedience which he as one of the People of this Province ought to his Lordship the Lord Proprietary of this Province, and to the Peace and Government thereof hath endeavoured to Alienate his Affection from the said Lord Proprietary and his Government, and the better to Affect the same did Contract Marriage and take to Wife an Indian Woman of the Susquehannah Nation, by whom the said Iacob had Several Children, one or more of which is now amongst the Indians, and thereby he the said Iacob is more nearly Concerned for those Indians even against his Majesties Subjects the good Christian People of this Province—

2dly That the said Iacob hath so farr espoused the Jnterest of the Susquehannah and other Northern Indians that in the year of Lord 1675 and Severall years Since, at Cecil County aforesaid and Several other parts of this Province, even when they the said Indians were Enimys, and in open Hostility with this Province, he the said Iacob did aid, Succour and Assist the said Susquehannahs and other Northern Indians not only

against the Pisscattaway Indians then in Amity and friendship with his Lordship and the good people of this Province, but against the said Lord Proprietary and his Majesties Subjects the good People of this Province Likewise— U. H. Journal 1659–98

3dly That the said Iacob to Shew forth his Affection and kindness to those Susquehannah Indians hath oft times, in the years and at the places aforesaid given out in Speeches and Declared that the Susquehannahs are an innocent and harmless People and hath not only Palliated and Excused the Spoiles and rapines by the said Indians in this Province Committed, but hath even Iustified the Murders perpretrated by them in this Province, thereby throwing the Guilt of the Blood Spilt in this Province upon his Majesties Subjects the good People thereof— p. 464

4thly That whereas the said Iacob at Several times and more especialy in the years 1677 and 1681 hath been employed by his Lordship the Lord Proprietary as an Interpreter Between the said Lord Proprietary and the Northern Indians and then had Instructions to propose and Demand a Peace as well for the Piscattaway Indians Our near Neighbours and friends as for his Majesties Subjects in this Province, and to Oblige him to Fidelity therein had and received Several great Sums of Tobacco as Gratuitys for the same; yet the said Iacob ingratefully and unfaithfully endeavouring to keep on foot the Animositys between the said Northern Indians and the said Pisscattaway Indians Our Neighbours and friends, instead of Offering any Mediation on behalf of the said Piscattaways according to his Instructions did utterly refuse to offer the same upon pretence that he himself knew well that no Such Motion would be Admitted by the said Northern Indians whereas in truth the said Northern Indians would gladly have Accepted and Complyed with any Such Motion had the Same been made, but the said Iacob being so nearly Concerned with the said Northern Indians as aforesaid, as much as in him lay Obstructed the said Peace between them, only to make a private Advantage to himself of their Spoils and Robberies Committed upon his Majesties Subjects in this Province

5th The said Iacob in further Declaration of his close adherence to the said Susquehannah and other Northern Indians in Carrying on an Offensive Warr agt the said Pisscattaway Indians upon no other Account then that the said Pissattaways would not Assist the Susquehannahs in a late Warr by them made against the Lord Proprietary in this Province did within the Years aforesaid, and in the Province aforesaid make it his Business to move and Stirr up the Susquehannahs and other Northern Indians to make Warr upon the said Passcattaway Indians and in Order thereunto did take upon him to travell

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to Several parties of the said Susquehannahs and other Northern Indians then Scattered into Several parts of this Province and Virginia, and to rally them together Encouraging them with force and Arms and in a Hostile manner to invade this Province, and to that end did Supply the said Susquehannahs and other Northern Indians with Corn and other Provisions,

6th That the said Jacob further to Evidence his Nearness and Alliance with the said Susquehannah and other Northern Indians, and his Malice to this Province hath Since his Imprisonment Published and Declared that he the said Iacob hath Such an influence over the said Susquehannahs and other Northern Indians that he the said Iacob can make the said Indians do what he please, and that he the Said Iacob Since his Imprisonment being put in Irons, hath given out threatning Speeches that he the said Iacob would be revenged of those

p. 465

that putt those Irons on him And that they should pay Dearly for it

All which the Delegates and Deputies aforesaid are ready to Averr, and Saving to themselves the Liberty of Exhibiting at any time hereafter any other Accusation or Impeachment against the said Iacob Young and also of replying to the Answer which he the said Iacob shall make to any of the Articles aforesaid, and of Offering further proofe of the Premisses or any of them as Cause shall require, do pray that the said Jacob Young may be putt to Answer to all and every of the Premisses, and that such Proceedings, and Examination, tryall, Iudgement, and Examplary Punishment may be thereupon had and Executed as is agreeable to Law and Justice

October the 7th: 1682 Signed p^{r} Order of the Committee
C Boteler Cl.

Lower house 9 November 1682
The aforesaid Articles read and Assented to by this house
Signed p^{r} Order Tho^{s} Grunwin Clk

Voted in this House that Copy of the above Articles of Impeachment be Delivered by the Clerk of this house to Jacob Young with Order to prepare himself for tryall upon a certain Day to be to Morrow Appointed him—

Upper house November 9th 1682

Upon Consideration of the last Message from the Lower house relating to the Bill for Advancement of Trade, Resolved that that Bill is so Necessary for the Security Defence and Increase of the Province, that this house will Sitt eight Days Longer to Amend the said Bill if it cannot be finished Sooner, and to that end will resolve themselves into a Grand Com-

mittee to Consider the Amendments of that Bill, and desire the Lower house to joyn themselves with the Upper house in a Grand Committee of both houses to perfect the said Bill U. H. Journal 1659–98

Signed p[r] Order J LL Cl of Assembly.

Sent by Coll Lowe and Coll Stevens to the Lower house, They return And This house Adjourns till to Morrow Morning 8 a Clock

November 10th 1682 Upper house Mett.

Present

The Right Honourable the Lord Proprietary

The Honourable

Philip Calvert Esq[r] Chan
Coll Thomas Tailler
Coll William Stevens
Coll Vincent Lowe
Coll William Burges
Coll: Henry Darnall
Major Nicholas Sewall

Read and Ordered to be entered in the Iournal a Message last Night brought from the Lower house p[r] M[r] Thomas Burford, Captain Henry Smith, M[r] Iohn Rousby, M[r] Ioseph Wicks, M[r] Iames Frisby, M[r] Clement Hill and M[r] Robert Carvile after the Adjournment of this house Viz[t]

Lower house 7th November 1682

This house taking into Consideration a Message from the Upper house of the 4th November Instant Viz[t] that the Two houses Legally Represent the Freemen of the Province, put to the Question whether the Upper house as well as the Lower house are the Representatives of the Freemen of this Province

Resolved Nemine Contra Dicente that the Deputies and Delegates Chosen by the Freemen of this Province in a General Assembly are the only Representative Body of the Freemen of this Province; Then was put to the Question whether the Charge of the Upper house of Assembly shall be brought to the Publick Account, & so paid by the Publick p. 466

Resolved that the Publick ought not to be Charged or bear the Charges or Expences of the Members of the Upper house

Signed p[r] Order Tho Grunwin Cl of the Lower house.

also this following Message Viz[t]—

Lower house 9th November 1682.

The Lower house of Assembly in Complyance with a Vote of the Upper house of the 4th of November instant, having after long Debate and Consideration Drawn up and Exhibited

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an Impeachment agains Jacob Young, do now Expect a Speedy Conclusion of this Sessions as in the said Vote was Expressed; wherefore this house have resolved not now to treat about New Matters nor recede from their resolve to the Act of Trade

Signed p[r] Order Tho Grunwin Cl of the Lower house

Came Philip Lynes by Robert Carvile his Attorney and prayed the Taxing of his Costs recovered upon his Writt of Error between him and Henry Hardy—

Came the said Henry Hardy also by M[r] Thomas Burford his Attorney and prays the hearing thereof

The said Attorneys being Admitted and the Parties themselves also, and the Allegations on both Sides heard in relation thereunto, they are all Dismissed and this house proceed to Tax the Costs (Viz[t])

Costs Allowed in this house to Philip Lynes Viz[t] . . Tobacco

To the Chancellor for Writt of Error Supsede & certiorari . . Seale		720
To the Secretary for Viz[t]	Tobac	
Return of the proceedings by certiorari into the Assembly	680	
Petition & Order for Writt of Error Sci: fa: & certiorari	96	
Writt of Error Sci: fa: and SuperSed:	150	
Writt of Error and Certiorari	100	
	——	1026
To the Cl of the Assemblies fees for Viz[t]		
Recording Writt Error Sci: fa: & return	192	
Recording Transcript of the Provincial Court	1584	
Recording Errors thereupon filed	1200	
Petition and Order for Tryall	96	
Entring Iudgment	48	
Bill Costs	48	
Copy of Iudgment and Costs	144	
Execution	84	
	——	3396
To Attorneys fees		1600
To the door keeper		100
		——
	Sum—	6842

Assembly Upper house 10th November 1682.

Ordered by this house that Writt of Restitution issue to
p. 467 Philip Lynes of Charles County Gentl: for the Costs recovered

against him by Henry Hardy of the same County Planter upon a Iudgment lately Obtained by the said Hardy in the Provincial Court, and also for what goods of the said Lynes were taken in Execution by the said Hardy pursuant to the said Iudgment and which are now in the Possession of the said Hardy or either of the Appraisers to be restored to the said Lynes at the same rates they were appraised at. U. H. Journal 1659–98

Signed p^r^ Order J LL Clk of Assembly

To William Cocks Chief Clk
of the Provincial Court these

Execution for the Costs above Assessed to issue out of this house returnable to the Provincial Court the Second Tuesday in February next.

Fees Settled and Confirmed by his Lordship and Upper house of Assembly to the Clerk of the said house for the time being (Viz^t^)

For every Petition Ninety Six pounds of Tobacco	96
For recording Writt of Error Sci: fa: & return, One hundred Ninety two pounds Tobacco	192
for Record in the Transcript of the Provincial Court forty Eight pounds Tob^a^ p^r^ Side	
for Recording the Errors brought in the Assembly forty Eight pounds Tob^a^ p^r^ Side	
for Copy of the Transcript of the Provincial Court forty Eight pounds Tob^a^ p^r^ Side	
for the Copy of the Errors the Same	
For Entering plea Twenty four pounds of Tobacco	24
for Copy of Plea the Same	24
for Entring Iudgment forty Eight pounds of Tobacco	48
for Bill of Costs	48
For Copy of Iudgment and Cost	144
For a Naturalization four hundred pounds of Tobacco	400
For every private Bill four hundred pounds of Tobacco	400

And for all other matters and things omitted to be inserted in the foregoing List treble the fees allowed to and taken by the Secretary of this Province in the Provincial Court of this Province are allowed to the Clerk of the upper house of Assembly for the time being in all Causes Personall brought before this house Computing one hundred and five words to a Side The said fees to be upon Execution

Allowed also to the Door keeper of the Upper house upon hearing any Writt of Error One hundred pounds of Tobacco

John Saxon by his Petition preferred Craves Allowance for Attending on Assemblies and Courts, which was thus Subscribed (Viz^t^)

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Upper house 10th November 1682

This house think 3000 ll of Tobacco in the whole may be a reasonable Allowance and referr the Same to the Committee of Accounts—

Signed p[r] Order J LL Clk of Assembly.

Thomas Casey of Charles County being Lamed at the Susquehannah Fort Petitions for Allowance of his Pension formerly granted him which Petition was Subscribed (Viz[t])

Upper house November the 10th 1682

Lett the Petitioner be Allowed as formerly

Signed p[r] Order J LL Clk of Assembly—

p. 468 Both the foregoing Petitions Delivered to Coll Thomas Tailler who is Sent out to the Committee of Accounts

Upper house 10th November 1682.

This house having Delivered to Jacob Young a Copy of the Impeachment Drawn up against him by the Lower house, do desire to know which Members of the Lower house are appointed to Manage that Charge that to Morrow this house may Call before them the said Jacob

Signed p[r] Order I LL Clerk of Assembly—

Came M[r] Robert Carvile from the Lower house with a Bill Entituled an Act Lycencing the Inhabitants and Prohibiting Foreigners to trade with the Indians which he says the Lower house are willing Should pass to Engrossment, Provided this house think fitt to repeale an Act touching Indians in the Book of Laws fol 10,

Answered that the latter Clause of the said Act Prohibiting the Delivery of Guns &c: to the Indians may be repealed but as to the other part of that Act it requires Some Consideration—He saith he hath no further Commission in that Particular but desires to know when this house will proceed to the tryall of Jacob Young—

This house will send Answer by a Member of their own

He returns to the Lower house

The above Message of this house Concerning Jacob Young Sent to the Lower house p[r] Coll Lowe—

Ordered that the Bill Licencing the Inhabitants and Prohibiting Foreigners to trade with the Indians be new drawn up with Amendments—

Coll Lowe returns from the Lower house

A Message from the Lower house by M[r] Bartholomew Ennalls which he Delivers in writing and returns being as foll (Viz[t])

Lower house 10th November 1682. U. H. Journal 1659–98

This house in pursuance of the last Message by Coll: Lowe have Appointed M^r^ Attorney General M^r^ Carvile, M^r^ Clement Hill, M^r^ Adams, Major Wicks and M^r^ Gibson to be the Persons (Members of this house) to Manage the Charge against Jacob Young, and shall be ready to Morrow accordingly—

Signed p^r^ Order Tho: Grunwin Cl L H

Upper house 10th November 1682

Ordered that Jacob Young be brought to the Barr of this house to Morrow Morning Nine of the Clock—

Signed p^r^ Order Iohn Lewellin Cl of Assem^ly^

To Ioshuah Doyne Gentl
high Sher of S^t^ Maries County these.—

Upper house 10th November 1682.

Jn Answer to the Message of the Lower house of the 7th Instant last night received This house do say that they intended not any thing by those Words in their Message dated the 4th Instant further then that are a part of the Body Politick of this Province without whose Assent no Laws can pass and do now Vote accordingly, And, that they did Expect p. 469 Directions from his Lordship in relation to the Bill for Electing & Summoning Delegates &^t^ ere they would proceed therein that the two houses might not Loose their Labour

Signed p^r^ Order I LL Cl of Assembly

Came M^r^ Miles Gibson from the Committee appointed to Manage the Charge ag^t^ Jacob Young desires to know whether the said Jacob had put in any Answer to the Impeachment

Answered that he had not, but that it was the opinion of this house that when he should be called to the Barr and required to plead he would pray further time to Answer

M^r^ Gibson returns to the Committee

Upper house 10th November 1682.

This house having Considered the Paper Sent by the Lower house November the 9th in Answer to Our Paper relating to the Bill for Advancement of Trade, together with the Several Amendments (in the Opinion of the Lower house) Necessary for the said Bill, do say that those Amendments (if thought Necessary by both houses) are easily Added to the Bill; and that so Necessary a Bill may not be delayed, do desire a Conference with the Lower house upon the said Bill and Amendments To Morrow afternoon—

Signed p^r^ Order I LL Clerk of Assembly.

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Both the foregoing Messages of this house Sent to the Lower house p[r] Coll Lowe.

Coll Lowe returns and

The house Adjourns till to Morrow Morning 8 a Clock

November 11th 1682 Upper house mett

Present

The Right Honourable the Lord Proprietary

The honourable

Philip Calvert Esq[r] Chan	Coll Henry Darnall
Coll Thomas Tailler—	Coll William Stevens
Coll: Vincent Lowe—	Coll William Burgess

Came Philip Lynes of Charles County and prayed Writt of Execution against Henry Hardy of the Same County for his Costs recovered against the said Hardy in this house according to the Iudgment of this house, and Order thereupon of the 10th Instant which was Granted him (Viz[t])

Maryland ss[l]

Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &[t] To the Sheriff of S[t] Maries County Greeting We Command You that you take the Body of Henry Hardy of Charles County Planter if he shall be found in Your Bailywick, and him safe keep so that you have his Body before Our Iustices of Our Provincial Court at the next Provincial Court to be holden at Our City of S[t] Maries the Second Tuesday in february next to Satisfie unto Philip Lynes of the same County Gentl the Sum of Six thousand Eight hundred forty two pounds of Tobacco Costs recovered against him by the said Philip Lynes upon a Writt of Error Argued before Us in Our Upper house of
p. 470 Assembly the Tenth Day of this Instant November, whereof fail not, and have you there this Writt returned by the time and place first above Mentioned Given at Our City of S[t] Maries under the Lesser Seal of Our said Province of Maryland the 11th Day of November in the 7th Year of Our Dominion &[t] Annoq Dom 1682.

J LL Cl of Assembly—

Coll Lowe sent to the Lower house to lett them know that this house had now Sent for Jacob Young before them, and desire that the Members of that house Appointed to Manage the charge against him may come and prosecute the same

The Sheriff of S[t] Maries County commanded to bring before this house Jacob Young his Prisoner,

Coll: Lowe returns from the Lower house

The Members of the Lower house Appointed to Manage the Charge against Jacob Young present themselves and are Admitted into this house U. H. Journal 1659–98

Jacob Young brought to the Barr and the Impeachment against him being read he craves the Assistance of Some Person to be appointed him to Draw up his Answer not being able to write or read himself—

Mr Kenelm Chiseldyne one of the Attorneys of the Provincial Court appointed for that purpose and Ordered to Exhibit the Prisoners Answer by Monday next the Prisoner is remanded into the Custody of the Sheriff of St Maries, who hath Order to afford him any Conveniency of Pen Ink and Paper and other Necessarys for drawing up his Answer

Adjourn for an hour

Mett again according to Adjournment

Came Mr Hill from the Lower house to acquaint this house that the Lower house was now ready to attend this house in a Conferrence according to the desire of this house yesterday= This house will Send them an Answer—

Mr Hill returns to the Lower house

Voted that the Conference be held at the State house in the Room over the Court

This house accordingly Adjourn thither

Where being mett the Speaker and the rest of the Members of the Lower house upon Notice given them Came and held Conference with this house

The Honourable the Chancellor Speaker of this house gives them to understand that as to the first Amendment proposed by that house, this house will Consent that a Salvo be inserted in the Bill Providing that no Mans Seated Plantation shall by Virtue thereof be taken away against the Will of the Owner—

To which the Speaker of the Lower house made Answer that they had by Severall Messages to this house declared that they had for Severall reasons thought fitt wholly to Wave any further Debate on this Subject, but barely out of respect to this house, had Consented to this Conference with restraint not to treat any further upon the Amendments of this Bill, that besides the Severall reasons they had for that purpose already Offered they had well Considered his Lordships Speech to them at the Opening of this Assembly Declaring that the end of their Meeting was only to Settle and Discharge Some publick Accounts and the Business of Jacob Young, they did therefore desire to preserve their Priviledges and not to be further pressed upon new Matters

Whereunto replyed by the Chancellor that true it was his p. 471

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Lordship had only (as hath been usuall in all Assemblies) recommended to them principally those two things, but it could not be thence inferred that his Lordship thereby had tyed up his hands from Offering to their Consideration any thing else Material, especially when the Lower house themselves Suddenly after and at the Begining of this Sessions had pitched upon new Matters for which they had Sett out their Committees

The Amendment and perfecting of the Bill therefore further pressed to them according to their own Vote Since Eight and forty hours or a less time may Compleat the Same, which being of so great Importance to this Province, This house desire they will not wholly Wave it for a few hours time and therefore if they think fitt to return to their house and take the Same into their further Consideration & Debate this house would readily Join with them in a full Body or by a Committee of both houses to make Such Additions or Amendments of the said Bill as shall be thought Necessary; But this house earnestly press that a Bill so Beneficial and Material to the Province as they Conceive this to be may not be wholly Quashed—

They go to their house to Consider of it

This house Adjourns till Monday Morning 9 a Clock.

November 13th 1682 Upper house Mett

Present

The Honourable { Philip Calvert Esq^{r} Chan; Coll Vincent Lowe; Coll William Burgess; Major Nicholas Sewall }

M^{r} Thomas Bland Appointed by this house to Assist Jacob Young in Drawing up his Answer to the Impeachment Exhibited against him by the Lower house, This house being Informed that M^{r} Cheseldyne thereunto Assigned by this House doth Peremptorily refuse to do the Same

A Message from the Lower house p^{r} Captain Richard Hill and M^{r} Francis Hutchins which they deliver in Writing and return to their house being as foll Viz^{t}

Lower house 13th November 1682

This house desires the Upper house please Dispatch those three Bills before them (Viz^{t}) The Bill for Revivall of Laws, The Bill for Trade with Indians, and the Bill for Elections, whereby both houses may be in a readiness against his Lordship please to appoint the Day of Sessions/

Signed p^{r} Order Tho: Grunwin Cl of the Lower house

The Doorkeeper of this house is Sent for the Sheriff of S[t] Maries County to come before this house— U. H. Journal 1659–98

The Sheriff accordingly appears and is Ordered to Demand of Jacob Young whether he hath gott ready his Answer, if not to lett him know it will be Necessary for him to Petition this house for longer time till to Morrow to prepare the Same—

Coll: Thomas Tailler Enters the house

The Sheriff of S[t] Maries County makes return that M[r] Bland appointed by this house to draw up the Answer of Jacob Young being now Busied thereabout Cannot spare time to p. 472 draw a Petition for the said Young but the said Young humbly desires time, till to Morrow to put in his Answer; which was accordingly Granted him, and Ordered that the same be Notified to the Lower house by a Message from this house—

Upper house 13th November 1682

M[r] Kenelm Chiseldyne one of the Attorneys of the Provincial Court being Especially Appointed by this house to Assist Jacob Young in the Drawing up of his Answer to the Severall Articles of Impeachment Exhibited against him by the Lower house having Positively refused to accept thereof, And this house thereupon having this Day Ordered M[r] Thomas Bland to draw up for him his Answer, The said Jacob Young in Consideration that he cannot Conveniently prepare his Defence in so short a time, hath Petitioned this house to allow him time till to Morrow to provide himself, which this house hath Granted him, and hereby acquaint the Lower house therewith—

Signed p[r] Order I LL Cl of Assembly—

November the 13th 1682—

Jn Answer to the Paper this Day received from the Lower house The Upper House do say, that they have the Bill for reviving of the Laws under Consideration; that the Bill for Trade with Indians hath been Considered, and they find the said Bill must Contain a Repeale not only of the Act concerning Trade with the Indians, but also of the Act touching Pagans made 1647 which is perpetuated 1676 as will appear by the Book of Laws now with the Lower house fol 124 as well as the last Clause at least of the Act touching Indians fol 10 of the said Book, with a Provisoe not to Repeale the Act against trading with the Indians for flesh Dead or alive &[t] and this house further say as to the Bill for trade with the Indians that some Complaint hath come to his Lordship against the Delaware Indians on Saturday last by which it appears to this house that it will be dangerous to the peace of the Province to lett every Inhabitant of this Province trade at

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his own house with Indians, and therefore propound that it be Enacted that every Inhabitant may trade with the Indians without License at Some particular places only in each County Viz[t] in Charles County at Col Chandlers in S[t] Marys County at Major Boarmans, in Calvert County at Coll Jowles in Ann Arundell County att Coll Taillers or Coll: Burgess, in Baltimore County at Coll Wells, in Cecill County at Captain Peirce[s], in Talbott County at Coll LLoyds in Kent County at Coll Courseys or Major Ringolds in Dorchester County at Captain Trippe[s], and in Somersett County at Coll Stevens[s], or Cap[t] Winders, and that if they Desire to go to the Indian Towns, they take Lycences and give Security as in the Bill is propounded and desire the Lower houses Concurrence that the Bill may be Engrossed accordingly

Signed p[r] Order I LLewellin Cl of Assembly.

The two foregoing Messages together with the Bill for trade with the Indians Sent to the Lower house p[r] Coll: Lowe, who is Ordered to Demand the Book of Laws for this house to peruse before they can pass the Bill of Revivall

Coll Lowe returns with Answer that the Lower house will send the Book of Laws per a Member of their own.

p. 473 M[r] Robert Carvile sent from the Lower house with the Book of Laws which he Delivers to this house, and desires to have the old Book of Laws Delivered him wherein the Act touching Pagans is at Large inserted, and is not in the Book now brought up to this house, he acquaints this house that the Lower house were well Satisfied in the Business of Jacob Young Signified to them from this house—

Coll Stevens Book of Laws delivered to M[r] Carvile and he returns to their house

This house Adjourns till to Morrow Morning 8 a Clock

November 14th 1682 Upper house mett

Present

The honourable
- Philip Calvert Esq[r] Chan
- Coll Thomas Tailler
- Coll Vincent Lowe
- Coll William Stevens
- Coll William Burgess

The Sherriff of S[t] Maries County Commanded to bring to the Barr of this house Jacob Young his Prisoner, and Coll: Lowe Sent to acquaint the Lower house therewith and to desire that the Persons appointed to manage the Charge may Come & prosecute the Same—Coll Lowe returns from the

Lower house who will Send an Answer by a Member of their own. U. H. Journal 1659–98

Mr Bartholomew Ennalls and Mr Iames Frisby Sent from the Lower house to acquaint this house that those persons by that house appointed to prosecute the charge against Jacob Young were ready to Attend this house in Order thereunto, they also deliver this following Message & return to their house Vizt

Lower house November 14th 1682

In Answer to the last Message Yesterday by Coll Lowe from the Upper house this house do say that according to their former Verball Message by Mr Carvile the 10th Instant, this house will pass the Bill for Licencing the Inhabitants, and prohibiting Foreigners to trade with the Indians as the same is now drawn, and therefore now again Declare that they Concurr and agree with the Upper house, as to the repealing of the Act concerning Trade with the Indians, and that touching Pagans made in the Year 1647 which this house find perpetuated (but not inserted in the book of Laws) And also Concurr as to the repeale of the latter part of an Act touching Indians, with a Saving of the Act against Trade with Indians for flesh Dead or alive &c: but as to the other part of the said Message Ascertaining the Places (for Inhabitants trading) in Each County this house cann in no wise Concurr with the Upper house therein—

Signed pr Order Tho Grunwin Cl of the L. House

The Persons appointed to Manage the Impeachment against Jacob Young together with the Speaker and other the Members of the Lower house Come and are Admitted into this house to hear the same.

The Prisoner not being ready to Make his Defence This house Adjourns for half an hour—

Upper house mett again according to Adjournment

Present as before of the Upper house—

A Message from the Lower house pr Mr Thomas Burford and Mr Robert Carvile which they Deliver and return to their house being as foll (Vizt) p. 474

A further Additional Charge to the Impeachment against Jacob Young.

That the said Iacob about the 10th Day of August in the Year of Our Lord 1680 at the house of him the said Jacob in

U. H. Journal 1659–98

Cecil County in the Province aforesaid having Discourse then and there with a certain Troop of Onneide Indians Consisting of about the Number of Tenn, he the said Jacob out of his further Malice and Mischieveous intent to this Province, and by open words and Deeds did move and Instigate the said Onneide Indians then being but few in Number to go home and fetch an Army of the s[d] Onneide's, and with the said Army to return to the said Jacobs, who upon short Notice to be given to him the said Jacob would be ready in Arms to Assist the said Onneide Indians in Jnvading this Province in Order to destroy the Pisscattaway Indians Neighbours and friends with this Province, and to Compass his evil & Malicious Ends aforesaid he the said Jacob did then and there present and give to the said Onneide Indians a Roll of Duffells,

And the Deputies & Delegates aforesaid Saving as aforesaid, pray as aforesaid—

Signed p[r] Order of the Committee C: Boteler Cl—

Lower house 14th November 1682.

Read and Assented to in this house—

Signed p[r] Order Tho: Grunwin C L H—

Ordered that Copy of the foregoing Additionall Charge be sent to Iacob Young Attested by the Clerk of this house which was accordingly done p[r] the Sheriff of S[t] Maries County—

The Sheriff of S[t] Maries County returns to this house and Saith the Prisoner Jacob Young humbly Craveth time till to Morrow to put in his Answer to the last Article of Impeachment, Exhibited against him, which, was Granted him and Coll: Stevens sent to Advertise the Lower house thereof Coll Stevens returns &

The house Adjourns till to Morrow Morning 8 a Clock—

November 15th 1682 Upper house mett

Present

The Right honourable the Lord Proprietary

The Honourable

Philip Calvert Esq[r] Chan	Coll William Stevens
Coll Thomas Tailler—	Coll William Burgess
Coll Vincent Lowe—	Major Nicholas Sewall

A Message from the Lower house by M[r] William Hatton Captain Henry Smith Captain Iohn Osbourne, and M[r] Leonard Green which they Deliver and receive from his Lordship a Letter lately received from the Governor of New York Intimating the return of 14 of Our Eastern Shore Indians lately

taken by the Northern Indians, and Liberty given for the rest of those Captives to return if they would, but that Some of them liking that Country better than their own resolved to stay there—M^r Hatton, Captain Smith, Captain Osbourne and M^r Green return to their house; The Message by them brought being as foll Viz^t U. H. Journal 1683–98

Lower house 14 November 1682

This house having taken into their Serious Consideration the Severall Messages Sent to this house touching the Guard of his Lordships Person, and the Magazine att Mattapony, and the Severall Debates of this house thereupon, this house have resolved that the two Shillings p^r hhd has Sufficiently provided for defraying the publick and Necessary Charges of Government of which the Matter now in Debate is part and thereby ought att all times to be defrayed; But this house desiring the Safety of his Lordships, having always in Remembrance his Lordships favours to the Inhabitants of this Province Do in Token and Demonstration of their Gratitude to his Lordship (so farr as the Necessitys of the People will permitt) Offer to his Lordship the Sum of one hundred thousand pounds of Tobacco to be paid this year and desire the Concurrence of the Upper house therein p. 475

Signed p^r Order Tho Grunwin Cl of the Lower house

Upper house 15th November 1682

In Answer to the last Message from the Lower house this Day rece^d by M^r Hatton &c^a this house do say that they are of Opinion that his Lordship hath Dearly purchased the two Shillings p^r hhd by the Abatement in his Rents, but as to the present made to his Lordship of one hundred thousand pounds of Tobacco This house do Concurr with the Lower house therein

Signed p^r Order I LL: Cl of Assembly.

Upper house 15th November 1682.

This house have Considered the Answer of the Lower house touching the Bill for Licensing Inhabitants, and prohibiting Foreigners to trade with the Indians, and do Say that if this house had any prospect of an Act for Settling Ports &^t as by the Bill for Advancement of Trade was propounded, they could with reason Consent to the Bill Licencing Inhabitants &c: as propounded by the Lower house but as matters stand they think it better to lett that Bill rest till the Bill for Advancement of trade &c: be again reassumed; for if that Bill pass the Ports will be the only Places to Trade at, as to the Bill for Electing and Summoning Delegates &c: this house will also

U. H. Journal 1659-98 Consider that when the Bill for Advancement of Trade is reassumed—

Signed p^r Order J LL Cl of Assembly—

Command given to the Sheriff of S^t Maries County to Demand of Jacob Young whether he hath yet prepared himself to Answer the last Article Exhibited ag^t him

The Sheriff of S^t Maries County makes return that his Prisoner Jacob Young is now ready, and produces the Answer of the said Young to the Several Articles of Impeachment Exhibited against him being as foll (Viz^t)

The Humble Answer and Plea of Jacob Young of Cecill County Planter to the Declaration and Impeachment made against him before the Lord Proprietary of this Province in his Upper house of Assembly by the Delegates and Deputies of the Lower house of the same Assembly—

The said Iacob Young being Accused and Impeached before Your Honours of the Many Misdemeanors, Offences and Crimes wherewith he is Charged by the Delegates and Deputies of this Present Assembly and which are Comprized in the Articles preferred against him; doth find in himself a Deep and hearty Sorrow that soe great and So worthy a Body should have him
p. 476 Suspected of those things which are Objected against him; Whereas had they known the very Truth of those particulars whereof they as yet have not had the Meanes to be rightly informed, he is well assured in their own true Iudgments they would have forborne to have Charged him therewith, But the Integrity of his own heart and Conscience being the most able and impartial Witnesses, not Accusing him of the least thought of doing any Evil or Mischief to his Lordship or the Good People of this Province, doth raise his Spirits again to make his Iust Defence before his Lordship and Your Honours, of whose Wisdom Iustice and Honour he is so well Assured, that he doth with Confidence and yet with all Humbleness Submitt himself to your Examination and Iudgments, And the said Jacob Young Saving to himself the usuall Benefit of not being prejudiced by any words or want of form in his Answer but that he may be Admitted to make further Explanation and proof as there shall be Occasion, doth make these Severall and Distinct Answers following in the Same Order they are laid down unto him

1^st The said Jacob Young utterly denyeth that he ever Alienated or at any time Endeavoured to Alienate his Affection from the Lord Proprietary of this Province and his Gov-

ernment, and doth utterly deny he ever Contracted Marriage or took to Wife an Indian Woman of the Susquehannah Nations, and doth utterly Deny he ever had a Child or Children by any Such Susquehannah Wife, nor was ever at any time Concerned for the said Susquehannah Nation or any other Indian Nation whatsoever, against his Majesties Subjects the good People of this Province U. H. Journal 1659–98

2[d] That the said Iacob Young in the Year 1675 did not live and Inhabit in Cecil County nor in any Places within this Province, but did then live & inhabit in Delaware untill August 1676 about which time the said Jacob Young rece'd a writing Dated the 14th Aug[t] 1676 in these Words foll. (Suffer the bearer hereof Jacob Young the Interpreter together with the Embassadors of the Susquehannah Nation to pass freely to S[t] Maries in this Province of Maryland, and from thence Safely to return to Newcastle &c: and Subscribed by his honour the Chancellor with other papers written to the same purpose, here ready to be produced of the same Date, That the said Young 29th November 1676 received one other writing under the hand of his honour the Chancellor in these Words (Jacob Young I have received Yours dated the 16th Instant and have Communicated it to the Gover[r] and Council and by their Command I herewith Send you a third Safe Conduct for yourself and the Susquehannah Indians to Continue for four Months least the hard Weather might hinder you or them from Coming Down sooner, and force us and them to Send too often to one the Other without Effectuall treating which may Begett Iealousies on their part &[t]) in which Letter is likewise inserted that the said Young is to perswade them to stay within the Bounds of the Province, and that he Should perswade the Susquehannah Indians that were gone to the Delaware Indians to return &[t] as by the said Letter here ready to be produced it doth more largely Appear That the said Young received two Commissions to the Same effect about the same time here ready to be produced; Pursuant to which Orders Letters and Commissions the Said Young with great Hazard of his Life Sought out the said Susquehannah Indians and found them; thinking therein he had Served the Lord Proprietary and the People of this Province; and that at that time the Bay was frozen so that the said Young and Indians could not Come down to S[t] Maries according to the Direction & Orders aforesaid, and at that time and no other the said Young did Succour and Assist the Susquehannah Indians, who destroyed about 20 or 30 Barrells of Corn besides Meat That the said Young hath likewise Orders and Instructions under the hand and Seal of Coll Coursey bearing Date the 12th of March 1677 Ordering him the said Young to find out and p. 477

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Endeavour to Speak with the Sinniquo Indians &t as by the Same here ready to be produced it doth more at large appear pursuant to which Instructions the said Young did find out and Speak with the said Siniquo Indians, but not without great Hazard of his Life, and whereas by one other Commission bearing Date the 14th Day of Iune 1678 the said Jacob Young was Ordered that as soon as he should be Informed that the Sinniquo Indians were Come to the old Susquehannah Fort he should repair to them and know from them what their designs tended to, and to endeavour what in him lay to divert them from all manner of Hostility to be used against the Pisscattaway Indians, (if any Such intents they had) by making them Sensible that they were friends to the good People of this Province, whom the People of this Province were Bound to protect &t as by the said Commission here ready to be produced it doth more fully and at large appear; And whereas by one other Order of Council bearing Date 29th Day of Iune 1680 the said Iacob Young was Authorized and Empowered at what time he shall be certainly informed the Sinniquo Indians are upon their March to lye in wait for them at or near the house of Mr Anthony Demondidier or Elsewhere in their road, and endeavour to Speak with the said Indians, and lett them know that his Lordship the Lord Proprietary of this Province is very desirous to speak with Some of their great Men, and to have Some Conference with them touching their last League, and to renew and Confirm the same &t as by the said Order here ready to be produced it doth fully and at large Appear; which said Order as well as all the before Mentioned Commissions Orders and Directions the said Jacob Young Justly faithfully and honestly performed to his best skill knowledge and understanding, many times with great Hazard of his Life to the intent only to Serve Secure and preserve the Lord Proprietary and the Good People of this Province And the said Jacob Young doth Averr that the before Mentioned Letters, Commissions and Orders, together with a Strong Inclination and desire to Serve the Lord Proprietary and the good people of this Province, were the only Inducements that Invited the said Iacob Young to Come from his Habitation in Delaware into this Province in the year 1676 and Since to Inhabit and Dwell in this Province: and doth utterly Deny that he did ever Espouse the Interest of the Susquehannahs or Northern Indians or any other Indians whatsoever at any time whatsoever in this Province or else where or did Encourage or ever Countenance the said Indians to go to Warr or live in Hostility with the said Pisscattaway Indians, or the good People of this Province, or did ever Succour assist or Entertain the said Indians in any other Manner than is

herein before Sett forth without which Entertainment he could not have Effectually Performed the said Orders and Commissions aforesaid U. H. Journal 1659–98

3d The said Iacob Young doth Averr and will Sollemnly Swear that Since the Treaty in the Year 1676 the said Iacob Young doth not know nor hath ever heard any Intelligence That the said Susquehannahs have ever done or Committed any Roberies or Murders within this Province, Denys he ever threw the Guilt of the Blood Spilt within this Province upon his Majestys Subjects; but hath been so great an Enemy, and hater of their said Murders and Robberies, that he Caused an Indian to be killed Lately in Delaware, for a Murder by the said Indian Committed on two Servants at Hanstrieks Mill Twenty Years Since which he can prove by the Oaths of Severall persons now Living in Delaware p. 478

4th The said Iacob doth Averr and will Sollemnly Swear that in the years 1677: & 1681 and at all other times he faithfully Justly and honestly pursuant to his Orders Commissions and Instructions did always propose and Demand of the Northern Indians, and all other Indians whatsoever, a peace as well for the Pisscattaway and other Neighbour Indians as for his Majesties Subjects within this Province, and doth deny he did ever endeavour to keep on foot the Animosities between the Northern Indians and the Pisscattaway Indians Our Neighbours and friends, nor did refuse to Offer a Mediation as well for the said Indians as the People of this Province, nor did ever Obstruct the Making of a Peace, nor ever make to himself any private Advantage of the Spoiles and Roberries Committed by any Indian or Indians whatsoever in this Province or any other place or places whatsoever nor can the Same be proved by any Christian or Indian whatsoever, nor can the Treachery or perfidiousness of the faithless Indians in breaking their Articles of Peace be Justly charged as a Crime to the said Iacob Young

5th The said Iacob Young doth Utterly deny that he did ever adhere to the said Susquehannah or other Northern Indians in Carrying on an Offensive Warr against the Pisscattaway Indians, because they refused to Assist the Susquehannah Indians in the Warr against the Lord Proprietary of this Province, nor did ever Stirr up the said Indians to make Warr against the Pisscattaway Indians, nor ever travell to Severall parties of the said Indians then Scattered in Several parts of this Province and Virginia to rally them together Encouraging them in hostile manner to invade this Province, nor did Supply them with Corn and Provisions in any other manner then as herein before is Sett forth pursuant to the Orders and Commissions to the said Jacob Young directed as aforesaid, which was done by the said Young with an earnest desire to make a peace and not a Warr

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6th The said Iacob doth not remember that he said any Such Words as that he could make the Susquehannahs or Northern Indians do what he pleased, nor in truth can he, but if any Such words were Spoken by him it was Occasioned by the evill Effects of Drink, and when he was not in his right Mind. And as to the said words he is charged with Since his Imprisonment which are that he would be revenged upon those that putt those Irons upon him, he saith his intent was to take Such Course as the Law will permitt Prisoners to have against the Merciless cruelty of Officers and Iaylors he knowing himself Innocent of Felony and Treason, and there being no Overt Act by him Committed, the said Words will not make him Guilty of either; This being the plain clear and Evident truth of all these things which are Contained & particularly Expressed in the Charge, he humbly referreth it to the Iudg-

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ment of Your Lordship Jn Your Upper house of Assembly how full of Danger and Prejudice it is to give too ready an Eare and too Easy a belief unto Reports or Testimony without Oath, which are not of weight enough to Condemn any: He humbly acknowledgeth that in his Drink he might talk without the Bounds of reason yet hopeth Your Honours in Your Iustice upon which with Confidence he putts himself will acquitt him of and from those Misdemeanors wherewith he is Charged, and he hopeth and will Dayly pray that for the future he shall by Gods Grace so watch over his Actions that he shall not give Offence to any

And Lastly the said Iacob Young humbly desires Your Lordship and this Honourable Assembly well to Consider (that since the Year 1676 at which time he was Sent for by Coll Coursey and Coll Chew &c: to come into this Province from Delaware to gather together the Susquehannah Indians, and to encourage them to live in this Province and likewise to procure the return of those Indians that were gone to Delaware how many Orders and Commissions as well for treating and making peace with the Sinniquo as the Susquehannah Indians he hath justly and faithfully Executed & performed without having the least Spott Blemish or Aspersion cast upon him, which said Commissions and Orders could not be Agitated without being friendly to and entertaining the Said Indians, which Entertainments cannot be Accounted as a Crime, which being Considered he hopes neither the false Aspersions of the perfidious and faithless Indians his Enemys, nor the Causeless fears of the weake and Naked and therfore timerous People Shall Cause one Drop of Innocent Blood to be Spilt, or can procure the ruin of him who with all Alacrity and Cheerfullness hath so oft cast himself Naked amongst Multitudes of Armed Merciless and faithless Indians with Great hazard of his

Life, meerly to procure the peace Safety and Wellfare of this Province, which for the future he shall again be always willing to do, And prays to be Discharged from this hard Imprisonment U. H. Journal 1659–98

The further Answer and Plea of Iacob Young to the Additionall Charge

The said Iacob Young doth Averr that upon the 10th Day of August 1680 the time in the Charge Mentioned, he the said Young was at New York; and did not return untill the first Tuesday in September following about which time he had News brought to Delaware that the Onneide Indians were then upon the falls of Susquehannah River, and had been within this Province about one Month, & had killed Hogs and Cattle, upon which he Applyed himself to Captain Iohnson who immediately went and informed Coll: Wells at Court, and thereupon Coll Wells Came from Court to the said Iacob to Spesuty Island, before whose coming the said Iacob Young had Sent One Evans Salisbury with a present of two Matchcoats to the said Indians, then at the falls of Susquehannah aforesaid, to desire the said Indians to come down to Speak with Our Great Men, Viz[t] Coll: Wells and Captain Johnson and Ordered the Messenger if they refused, or were fearfull to come down upon delivery of the present, then to tender Body for Body for their Safe return, upon which the Messenger returned with three Indians that Coll Wells then Ordered the said Iacob Young to Speak to them and Ask them why they went through the Country and bid him tell them the English might do them hurt, and did likewise Order the said Jacob to desire them to go home, and fetch Some great Men to treat with Our Governor whither they might have priviledge to go through the Country or not, That about Two days after the said Coll Wells gave the said Onneide Indians a pass to go through the Country who by Virtue of that Pass went to Choptank, and about a Month after the said Indians came again from Choptank to the house of the said Iacob, and Complained that the English would not lett them go down further, and therefore the said Indians threatned the said Youngs People and drew drink against their Wills and made themselves Drunk, and there were then Seven Indians, that the said Onneide Indians went then to Delaware, and from thence to the Eastern Shore, and about Duck Creeck they killed two Delaware Indians, and then returned to their own Country. That at that time the said Iacob Young had not above five yards of Duffells in his house, and did then live at Delaware, and never came but when he was twice Sent for into this Prov- p. 480

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ince all which he can prove by Sufficient Witnesses, And the said Iacob Young doth utterly deny that he had about that time any other Conference whatsoever, or that he had any other Discourse in Cecil County or else where with any Troop of Oneide Indians then is herein before Sett forth, and doth utterly deny that he with open words or Deeds did ever move or instigate the said Onneide Indians or any other Indians to fetch an Army of the said Onneide Indians, and with the said Army to return to the said Iacobs, and doth utterly deny that he at any time Said, or ever had any thought to Say, that he would be ready in Arms to Assist the said Onneide Indians in Invading this Province in order to destroy the Pisscattaway Indians Neighbours and friends with this Province; And doth utterly deny he did ever give or present unto the said Onneide Indians a Roll of Duffells, or any other Duffells or present whatsoever, than what is herein before sett forth and Declared, but was then as he hath ever been ready and willing faithfully and honestly to Serve the Lord Proprietary and the good People of this Province to his uttermost against those perfidious and faithless Indians, as he shall ever be with his Life and fortune, The said Indians having Damnified him to the Value of One hundred thousand pounds of Tobacco

And humbly prays that he may not be utterly ruined, but be discharged from his hard Imprisonment. And he shall always pray for Your Lordship & the Members of this Honourable Assembly

Jacob Young—

Mr Miles Gibson one of the Committee Appointed to Manage the Impeachment against Iacob Young comes from the Committee to desire a Copy of Iacob Youngs Answer thereunto, the Original is delivered him and he returns therewith to the Committee

The two Messages of this house this day concerning the present to his Lordship, and the Bill for trade with the Indians Sent to the Lower house pr Coll Lowe: Coll Lowe returnes from the Lower house

Thomas Clark of St Maries County by his Petition Exhibited to this house prays that he may be Allowed out of the publick Levy for Twelve days attendance with horse and Arms in Guarding Daniel Mathena, Nicholas Bede & Iackanapes the Indian which Petition was thus Endorsed (Vizt)

Upper house November 15th 1682
Referred to the Committee of Accounts
Signed pr Order J LL Cl of Assembly—

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William Boarman late high Sheriff of S[t] Maries County prays he may be Allowed in the publick Levy one thousand pounds Tobacco for Executing William Sewick who was Condemned to be hanged for Buggery—

William Boarman

And further prays he may be Allowed for the Imprisonment of George Godfrey who was Committed to my Custody the 3[d] Day of August 1681 and receved his Lordships Gracious pardon 21 November foll in all 110 Days which at 20 [li] of Tobacco per Day. Amounts to the Sum of 2200 [li] of Tobacco

W Boarman.

The foregoing Paper was thus Endorsed Viz[t]

Upper house November 15th 1682.
Lett the Committee of Accounts take this into Consideration
Signed p[r] Order J LL Cl of Assembly

Coll Lowe sent to the Lower house to lett them know that this house are now ready to proceed to the tryall of Iacob Young and to desire those persons appointed by the Lower house to Manage the Impeachment to come and prosecute the Same—

Coll Lowe returns with Answer that they will attend this house immediately

Command given to the Sheriff of S[t] Maries County to have Iacob Young his Prisoner forthwith before this house, The said Jacob is accordingly brought to the Barr

The Members of the Lower house Committees appointed to prosecute the Impeachm[t] are Admitted into this house, The Speaker & the the rest of the Members of the Lower house also.

Read then the Impeachment Exhibited by the Lower house against the Prisoner and the Prisoners Answer thereunto—

Demanded of the Prisoner whether or no he hath any Witnesses ready to make Appear what in his Answer he Alledgeth he can prove—

For answer he saith he hath not any Witnesses here ready but desires that M[r] Bland his Council Assigned may Speak for him, which was denyed him unless Matter of Law should arise upon tryall—

This house in Consideration that the Prisoner hath not his Witnesses ready, & that he may not be Surprized in a Case of so great Moment have thought fitt to allow further time till next Assembly for him to provide his Witnesses—

He is remanded into the Custody of the Sheriff of S[t] Maries County there to remain till the next Assembly—

Adjourn till to Morrow Morning 8 a Clock

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November the 16th 1682 Upper house mett

Present

The honourable

Philip Calvert Esq[r] Chan
Coll Thomas Tailler—
Coll Vincent Lowe—
Coll William Stevens
Coll William Burges

Copys of the Votes of the Lower house November 2[d] concerning a Gratuity of 12 [l] p[r] Poll to Coll Coursey and Coll LLoyd, of November 14 for a present to his Lordship of 100000 [ll] Tobacco with the Concurrence of this house thereunto drawn out per Order of this House and Delivered to Coll Stevens, who together with Coll Tailler is Sent out upon the Committee of Accounts

Came M[r] Robert Carvile Sent from the Lower house to desire this house to Expedite the Bill of Revivall now before them; He hath Answer that this house will forthwith proceed thereon, and returns to the Lower house—

Jacob Young Exhibits his Petition to this house as foll Viz[t]

To the Lord Proprietary of this Province in the Upper house of Assembly.

The humble Petition of Jacob Young—

In all humble manner Sheweth

That Your Petitioner is Impeached by the Lower house of Assembly which Impeachment Lyes now before your Honours ready for tryall and is put of to the next Assembly because Your Petitioner has not Witnesses here to prove some particulars in his Answer

Your Petitioner knowing himself Innocent is willing to be immediately tryed without Bringing any Such Witness, or having any further time to prove the Same

Your Petitioner therefore Humbly prays that he may be immediately brought to Tryall or that Baile may be taken for his Appearance the next Assembly—and Your Petitioner shall ever pray—

Jacob Young

To be Considered of in a full house—
Adjourn for an hour.

Upper house mett according to Adjournment

Present—

The Honourable Philip Calvert Esq[r] Chan.
Col Vincent Lowe—
Coll William Burges

Came M[r] Robert Carvile from the Lower house and desired

the Bill for reviving certain Laws might be sent them with the Assent of this house thereunto for Answer returned him, that so soon as Coll Tailler and Coll Stevens come from the Committee of Accounts this house would take the Same into Examination and send them an Answer thereunto; Mr Carvile returns to the Lower house U. H. Journal 1659–98

Enter Coll Tailler and Coll Stevens from the Committee of Accounts

Read another Petition Exhibited by Iacob Young Vizt

To the Right Honourable the Lord Proprietary in his Lordships Upper house of Assemly

The Humble Petition of Iacob Young.

Sheweth that—

Whereas Your Petitioner hath been accused and Impeached by Your Lordships Lower house of Assembly of divers Crimes and Offences in Severall Articles Exhibited by them to your Lordships Upper house of Assembly; To which Articles Your Petitioner hath put in his several reasons, in Some of which reasons Your Petitioner hath Affirmed that he can prove by Witnesses, that several things Imputed to him as Crimes and Offences in the said Articles were done in Obedience to Your Lordships Officers Commands, though unhappily otherwise understood by the Lower house, upon which Affirmation of Your Petitioner Your Lordships Upper house intending to do your Petitioner all right and Iustice did putt of Your Petrs Tryall till he could procure such Witnesses as in his said Answer he affirmed he had, Now so it is may it please Your Lordship that Your Petitioner having understood that the next Assembly will not be called till the Spring and that Your Petitioner cannot be tryed till then by Common Course of Such tryalls as Your Petitioner must either be Condemned or Iustified by p. 483

Humbly prayeth Your Lordship to Consider Your Petitioners Condition, who being now Stricken in Years, and not able to endure so hard and Strict an Imprisonment as hitherto ha hath Suffered by being kept in Irons in a room without fire, and all his provision cold before he can have it, all which hardships will now be Augmented by a cold approaching Winter to the Death and Distruction of Your Petitioner he humbly prayeth that he may have liberty to Wave so much of his Answer aforesaid as any way tends to the producing of Evidences on Your Petitioners part and humbly prays that he may come to his Tryall forthwith being willing to stand thereunto as well knowing his own innocence and Integrity toward Your Lordship, and the Good People of this Province, and the Government thereof, in the reall Service Whereof and hearty prayers he desireth to Spend the Remainder of his Life—

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The Consideration whereof referred unto his Lordship to Morrow Morning Expected in this house—

The door keeper of this house sent for the Book of Laws to the Committee

Mr Kenelm Chiseldyne one of the Attorneys of the Provincial Court Concerned in Severall Errors Depending in this house, by his Petition Exhibited prays the hearing thereof this Assembly he having given his Attendance all this Sessions for that purpose; The Petition was thus Subscribed for Answer (Vizt)

Upper house November 16 1682.

If the Petitioner had made his application sooner, this house would have Appointed a Day of hearing, but to Morrow being Determined for the Day of Sessions this house cannot now hear the Errors Argued—

Signed pr Order J LL Cl of Assembly.

John Saxon the Door keeper brings the Book of Laws into this house.

Upper house Novem. 16 1682

This house having read the Act for reviving the Temporary Laws of this Province the Second time do say that they cannot Assent thereunto unless the Lower house will Join with this house in Amending the Law for Encouragement of Tillage &c: by appointing Convenient places of Delivery or else wholly Expunge the Same out of the Reviving Bill—

Signed pr Order I LL Cl of Assembly—

The foregoing Message of this house together with the Reviving Act and the Bill for Naturalization of Rowland Nans sent to the Lower house pr Coll Lowe

Coll Lowe returns from the Lower house

Joseph Tilley by his Petition preferred craves relief against the Extremity of the Weather now Approaching having been Confined about 23 Months and not Suffered to look after his own small Concerns—which Petition was thus underwritten Vizt—

p. 484

Upper house 16 November 1682.

If the Petitioner craves Charity for his Maintenance he ought to apply himself to the County not being relieveable by this house—

Signed pr Order I LL Cl of Assembly.

Joshua Doyne high Sheriff of St Maries County by his Peti-

tion prays Allowance out of the Publick for Imprisonment and Guard of Jacob Young & other Charges thereby Accruing according to an Account Exhibited by him the Petition thus Subscribed Viz[t]— U. H. Journal 1659–98

Upper house November the 17th 1682.

This house are of Opinion that Jacob Young being Impeached by the Representatives of the Province, is the Countries prisoner and his Charges of Imprisonment consequently ought to be Born by the Province & recommended the Consideration thereof to the Lower house—

Signed p[r] Order J LLewellin Cl of Assembly

Sent to the Lower house p[r] Coll Stevens

Coll Stevens returns

And this house Adjourns till to Morrow Morning 8 a Clock—

17th November 1682 Upper house mett

Present

The Right Honourable the Lord Proprietary

The Honble

Philip Calvert Esq[r] Chan	Coll William Stevens
Coll Thomas Tailler—	Coll William Digges
Coll Vincent Lowe—	Major Nicholas Sewall

Read and Ordered to be entred in this Journall a Message last Night brought into this house by Captain Henry Smith, and Captain Iohn Osbourne after this house had Adjourned Viz[t]

Lower house 16 November 1682.

This house look upon the Act for Encouragement of Tillage to be a Beneficial Act to the Country and ought to be revived at present with Amendment which will Necessarily fall in the next assembly if the Act for Encourgement of Trade then pass

Signed p[r] Order Tho[s] Grunwin Cl of the Lower house.

And desire the Concurrence of the Upper house herein, And that the Reviving Bill may pass as now drawn.

Read again the Act of Revivall and passed this house in these Words Viz[t]

17th November 1682 Upper house Assented—

Signed p[r] Order J LL Cl of Assembly

Sent to the Lower house together with the following Message per Coll Lowe (Viz[t])

U. H. Journal 1659–98

Upper house 17th November 1682.

The Act for Reviving the Temporary Laws of this Province hath passed this house for the reasons given by the Lower house in their last Message to which this house do Concurr—

Signed p^r^ Order J LL Cl of Assembly

Coll Lowe returns from the Lower house—

p. 485 Came M^r^ William Pierce with a Paper from the Lower house which he delivers & returns thither being as foll Viz^t^

To the honourable the Supreme Court of Iudicature in the Province of Maryland the Burgesses and Delegates of this Present General Assembly held at S^t^ Maries

Humbly Sheweth

That this Informant George Oldfield of Cecil County in this Province being about a Month Since at Upland upon Delaware River, he happened to be in Company with One Lasky Cocks who lives in the Schoole kill in the Same River together with Cap^t^ William Markham Governor of Pensilvania, who Demanded of this Informant how Jacob Young fared, and what Accusation there was against him, and who the Accusers were and this Informant replyed he knew not, upon which the said Lasky Cocks replyed that the Neighbour Indians there were very much Disturbed at it together with the Susquehannahs who Live amongst them, who had a Little before Demanded the reason of him, for the Detainer of the said Jacob Young, and who replyed he knew not, The Indians then told him that whatever could be Alledged against Iacob Young touching any thing concerning the Indian Affairs was all false, that the said Young had always kept off them the Susquehannahs from doing more Mischief than they did, or else they would have killed many hundreds more in Maryland than they did, but that they were Stopped through his Means, And the Indians further told him the said Lasky Cocks that in case the Life of the said Iacob Young be taken away, that they would have 500 lives more for him out of Maryland and further this Informant informeth not—

2 Novem^r^ 1682 This is a true relation given to this Informant by the said Lasky Cocks which Cocks will be ready to give his Deposition to the Same Effect—

Thus Directed Viz^t^ George Oldfield—

To the Honourable the Burgesses
and Delegates of this present general Assembly at S^t^ Maries—

Coll William Stevens Sent to the Lower house to lett them know that this Day his Lordship Determined to Conclude this

Sessions which having performed Coll Stevens returns again to this house— U. H. Journal 1659-98

A Message from the Lower house p^r^ Cap^t^ Henry Smith and M^r^ Leonard Green which they deliver in Writing and return to their house being as foll Viz^t^

Lower house 17th November 1682

This house having had Severall Debates this day concerning Iacob Young and upon the whole Matter do desire that the Upper house will bring the said Iacob to tryall this Day—

Signed p^r^ Order Tho Grunwin Cl of the L H.

Sent from the Lower house per William Hatton and Doctor John Brookes the Bill for Assessing the publick Charge of this Province which they Deliver & return to their house—

Upper house 17 November 1682.

To the request of the Lower house to have Jacob Young brought to Tryal this Day, the Upper house do Answer, that his Tryal was Deferred upon his own pleading wanting Witnesses to prove what he pleaded, time being requested By the said Iacob in the presence of the Lower house and Allowed him, That since that they have read from the Lower house a Letter directed to the Honourable the Supreame Court of Iudicature in the Province of Maryland, the Burgesses and Delegates of this present Generall Assembly held at S^t^ Maries and Signed George Oldfield, Though the letter is falsly directed since the Burgesses and Delegates alone are not the Supreame Court of Iudicature in this Province, yet the Safety of the Province Obliges this house to take notice of the Contents of the said Letter and do Say that it is Absolutly unsafe for the Province to bring the said Iacob to Tryall this Day, first because every Day (as we See by this Letter of Oldfields) brings fresh Advice how dangerous a person he is who can Arm Multitudes of Indians to take the Lives of 500 of his Majestys Subjects here in Maryland should We Execute him though never so Iustly; Secondly because in his Plea to the Impeachment he in a Manner Vaunts of his power with the Indians, telling us how he hath lately Caused an Indian or Indians to be killed for a Murder Committed upon Some English 20 years since at Hans de Rings Mill, So that should this house precipitate his Tryall against his request at Barr which is Entered upon Record and upon half Evidence quitt him, it were unsafe to sett him at Liberty, And therefore Vote that the said Jacob as a Dangerous person be kept till the next meeting of Assembly; that all Witnesses being produced as well for him as against him, The Good People of the Province who have accused him, p. 486

U. H. Journal 1659–98 may have Justice done them against this person who, (as is Suggested) hath Betrayed them to their Enemys, when they were forced to trust him as being the only person We had that understood Our Enemys Language

Signed p[r] Order J LL Cl of Assembly—

Sent to the Lower house per Coll Lowe

Coll Lowe having delivered his Message returns again to this house

Came M[r] Kenelm Chiseldyne One of the Attorneys concerned in the Errors Depending in this house, being Admitted and prayeth to know whether this house would please wholly to dismiss the said Errors out of their house or Continue them till the next Sessions of Assembly—

Which being putt to the Question in this house Voted and Ordered that all the Errors now depending in this house for tryall be Continued till the next Sessions of Assembly.

The Bill for Assessing the publick Charge of this Province read and passed this house in these words Viz[t]

November 17th 1682 Upper house have Assented
J LL Cl of Assembly.

Sent by Coll Lowe to the Lower house with Order to lett them know that his Lordship was preparing to Conclude this Sessions—

Coll Lowe returns having performed his Message

After some time, Coll William Burges sent to the Lower house to lett them know that his Lordship was now Ready to receive what Bills they had to present unto him in Order to Conclude the Sessions—

p. 487 Coll Burges returns with Answer that they will immediately wait on his Lordship

Enter the Speaker and Member of the Lower house together with their Clerk

The Speaker presents to his Lordship these foll Bills (Viz[t])

1[st] An Act for Reviving the Temporary Laws of this Province
2 An Act for Naturalization of William Blankinstein
3 An Act for Naturalization of Rowland Nans
4 An Act for Assessing the publick Charge of the Province

They were Assented to by his Lordship and Subscribed in Manner foll Viz[t]

His Lordship Willeth these to be Laws C: Baltimore

Delivered by his Lordship to the Chancellor by whom they were Sealed and thus Subscribed Viz[t]

Passed under the great Seal of this Province this 17th November 1682 U. H. Journal 1659–98

Philip Calvert.

The Chancellor acquaints them that his Lordship had Commanded him to lett them know that his Lordship in giving his Assent to those Laws had fully Complyed with what they had desired of him this Sessions, and as to the Clerk of his Councils fees for which they did not think it Convenient to pass the Bill, his Lordship now takes himself to be at Liberty to Settle Such fees upon the Clerk of his Council as to him Shall Seem meet. as to Matters wholly relating to favour

The Speaker in Answer Saith that their house had not refused the Settling the fees of the Cl of the Council by an Act of Assembly out of any Refractoriness or humour of theirs but had requested of the Upper house a View of a Bill by them Drawn for that purpose the last Assembly, which they were willing to pass without having Imposed upon them any New thing—

The Chancellor in presence of both houses desires that as it his Office to Seal the Laws of the Province so Soon as they have received his Lordships Assent So he may have the Liberty of keeping the Originals, which being Often tossed and Carried from place to place are very much Torn and Defaced.

Ordered by his Lordship that the Originall Laws passed every Assembly, do from henceforth and at all times hereafter remain in the Custody of the Chan^{r} and that Copies be drawn for perusall of Committees or other Occasions in times of Assembly.

The Chancellor at Length gives them to understand that his Lordship had Commanded him to lett them know that he did prorogue this Assembly till the first Tuesday in March next And the Assembly was accordingly prorogued this 17th Day of November 1682 Untill the first Tuesday in March next

p^{r} John LLewellin Cl of Assembly

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at St. Mary's, Oct. 26–*Nov.* 17, 1682.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE LOWER HOUSE OF ASSEMBLY.

Tobacco be Allowed to Mr Edward English about the Imprisonment of John Browning And whereas it was urt to the Judgement of the arges The Negroe being a slave to make satisfaccon when doe by Act of Assembly Sheriffe be payd out of the Imprisoned Vizt Cæcill

L. H. Journal Original. p. 11

Com
County
Or

be made by this house to his peticon for charges in bringing St Maries nor vpon his peticon for damadging & hurting himselfe goeing to Majr Ringold when the Indians wer

The Comittee of Accompts come in—

The peticons and accompts of John Wheeler William Taylor Capt Barton, Cleborne Lomax & Peter Carr Comittee to the Comittee of Accompts—

The house Adjourn'd till to morrow morning 9 a Clock—

Wednesday 1st November 1682

The sate againe prsent as before—

Then was read what was done yesterday

The bill of natralizacon of William Blankinstein Read the second and third time by speciall order of the house & past

Capt Hills peticon againe debated And Voted that 5000 l of Tobacco be allowed out of the publique for his service in the new Yorke Voyage, and for Mr Clarkson his mann Besides all charges allowed according to the Accompt annexed in the peticon—

The peticon of Ninian Beale againe Debated And put to the Question whether this house ioyne & Concurr with the Vpper house for Releife of Capt Beale—

Voted in the Negative—

The peticon of Edward Allally Robert Randall Joseph Gal-

L. H. Journal Original. lion Andrew Abbington Josias Lanham John Wright Thomas Preston being all for Repairacōn of losses susteyned by the Indians debated And Voted That noe Allowance be made of the publique to any of the aforesaid peticōners—

p. 12 The Comittee of Accompts goe
The Bill Entituled an Act
and sumoning Bur
serve in succeeding
past—
The said Bill
Blankinstein se
Mr Honer Mr R
The foure first consideracōn
of the Act for Advance Hill returnes
and sayes they delivered the V
house, And declare the
the Chancellor himselfe
Clerke being there pre
Mr Attorney Generall sent use with
these two Messages following

Lower house 82

This house have Considered of the Vote of the Vpper house of the 30th of october last Relating to the gratuity to be given to Coll Henry Coursey & Coll Philemon LLoyd for their good and effectuall service in their late Embassie to the Notherne Indians And therevpon—Voted that there be given to each of the aforesaid Gentlemen 40000 l of Tobacco for their respective good services in the aforesaid Negotiacōn with the Notherne Indians And herein desire the Concurrence of the Vpper house

Signed p ordr Tho: Grunwin
Clk of the Lower house—

Lower house 1st November 1682

ffor as much as it doth not appeare to this house vpon the peticōn of Capt Ninian Beale and Message of the Vpper house therevpon That the petr hath followed or persued the former Act of Assembly in his peticōn mencōned Therefore doe not thinke him releivable, or fitt to be releived by a new one now to be made

Signed p ordr Tho: Grunwin
Clk of Lower house—

The house Adjourned till to morrow morning 9 a clock

Thursday 2d November. 1683. L. H. Journal Original.

The house sate againe present as formerly and Mr Clemt Hill from St Maries County—

Then was read what was done yesterday—

An Addresse from this house to his Lorpp the Lord Propry as followeth— To

honble the Lord Propry— p. 13
the Delegates and deputies of the
bly.

servants the Deputies & Delegates
Demonstrate that duty &
your Lorpp have most readily
and find ourselves thus lessened
from aken in hand & proceeded
vpon ended to vs by your Lorpp at the
the causes of Convening thereof
& hope That wee may with your
likeing Discharge ourselves faithfully
in Vs by the ffreemen of this province
Who they have Complyed with your Lorpps
writts hoosing two Delegates and deputies in
each County sufficiently impowring vs To Advise and Consent to and with your Lorpp Vpon the Vrgent affaires of this province Yet they have given instruccon to their severall delegates to pray and make provision That they be restored to their former freedome of choosing & Electing the Accustomed number of Deputies for each County To be the Representative body of this province And having taken the whole matter into serious Consideracon Aswell the reasons given by your Lorpp as the desire of the ffreemen as aforesaid And being Confident in your Lorpps word That you designe nothing but the ease of the Inhabitants and lessening the charge that might accrew by a greater number Wee have studdyed by avoyding all obstinacy to your Lorpps designes To find out an expedient That may as well fully comply with your Lorpps good intentions and satisfy the minds & desire of the people And this is by a bill directing That all writts for the future may goe out for the Election of two three or foure Delegates for each County at the choyce of the freemen thereof, And this may it please your Lorpp wee most humbly advise to be the most honble & saftest way as well for yor Lorpp as ourselves And wee doubt not that when it shall thereby appeare (without all Contradiccon) to the ffreemen of this province, That your Lorpp designes nothing therein but the ease and welfare of the Inhabitants They will readily Consent and agree To elect such & soe many as they find most agreeable to your Lorpps desires for that and Thus

L. H. Journal Original. p. 14

may it please your Lor^pp having most humbly presented our soe reasonable desires wee doubt not your Lor^pps gratious Condiscention
yo^r Lor^pps long and ha

The same read
by M^r Attorney Ge
Hill M^r ffrancis Robert
Carvile M^r Henry They
goe out and returne the same
to his Lor^pp
The two Messages
Agents and Cap^t Beales petic̄on the
Vpper house by M^r Attorney Gen the
Vpper house Adjourn'd before they day sent
by them againe who return'd delivered
the same—

M^r Peirce sent to the Comittee about the Act for Advancement of the trade of Tobacco to know if they have finished their Consideracōns vpon that Act—

Coll Darnall & Maj^r Sewall from the
Vpper house with this Message Vizt

Vpper house November 2^d 1682.

This house having received a Message from the Lower house dated the first Instant Relating to a Vote of this house dated the 30^th of October last past By Which this house voted Twelve pounds of Tobacco p poll to be given to Coll Henry Coursey and Coll Philemon LLoyd for their effectuall care in the Negotiacōn with the Notherne Indians and their good husbandry of the publique money This house doe a litle wonder why the Lower house have waved the way by vs proposed to raise the said Gratuity And a given a lesse Testimony of their good likeing of their proceedings then this house have done when they must have payd the Expence of those Gentlemen had it beene more then it is And therefore Considering the good husbandry of those Gentlemen The Effectuall prosecucōn of their Negotiacōn and the good Correspondence that ought to be mainteyned by these two houses Wee desire the Lower house will Reassume the debate of that buisines And concurr with this house in giving the said Gentlemen 12 [l] of Tobacco p poll which this house thinke they well deserve And is

p. 15

more then what the Lower house
of hon^ble and successefull Endeavours
Signed p ord^r John LLewellin
Clk of Assembly—

a Concurrence with the L. H. Journal Original.

Act for Advancement of
and bring in the said Act
Queries therevpon—
house That Messengers from
dore But they would not
Mr Speaker Ordered him to shutt
Speaker then by Order of the house Ordered
to tell them That it was Contrary to the
Rule for any to come into this house with
their swords who went out and told them as he was
Comanded, But they Vizt Coll Darnall Coll Digges and
Majr Sewall or some of them Replyed That the Lower house
could not make roome for the Vpper house And therevpon
went away without delivering any Message—

Mr James ffrisby and Mr Miles Gibson sent to the Vpper house with this Ensuing Message (Vizt)

Lower house 2d November 1682.

This house have Reassumed the Debate of the Gratuity to Coll Coursey and Coll LLoyd Vpon a Message this day received from the Vpper house by Coll Darnall And doe Concurr with the Vpper house That 12l of Tobacco p poll be given to the said Agents for their effectuall care in the Negotiacōn with the Notherne Indians—

Signed p ordr Tho: Grunwin
Clk of Lower house—

They returne and say they have delivered the same to the Vpper house—

The Comittee of Accompts come in

Ordered That the Bill for Advancement of the trade of Tobacco with the Alteracōns & Queries made by the Comittee be read and Considered vpon by this house which alteracōns are as followeth Vizt

November 1st 1682 By the Comittee of Trade.

present

Mr Robert Carvile Chairman, Mr Henry Hosier
Mr John Rouseby, Capt John Osborne

Vpon pervseall of p. 16
Entituled an Act
Agreed That
ports and places
this province
safety and sec

L. H. Journal Original. Trade
That wee hum may be
better thus An Act for Tobacco—
being too perticuler
all Comodities
That wee Conceave the
Vessells to put on shoare and
places is too short And that words
from and after the 10th of Oc Jt will be
better to say from and after of August
1684 And likewise That the Amended in that pticuler
In the 19. 30. & 31th lines of the bill And where, tis sd In the 12. line of the said Bill at such place or places onely as shall be appoynted by his Lorpp The Comittee humbly offers it to the Consideracōn of this house whether it will not be necessary That his Lorpp be moved That he will take the Advice of this house or the Comrs of the respective Counties before the said ports or places be by his Lorpp appointed to the end there may be such and soe many convenient ports and places in each County as may sute with the Conveniency of the Inhabitants of each respective County—That after the ports and places appointed as aforesaid some rule or establishment may be appointed in the said Act how, by whome, in whose name, and for whose vse such places shall be rchased what Quantity of acres and how to be devided And what every person must pay for his Devide And setle the surveyors fees for laying out the whole & making devisions—

The Comittee thinke fitt tht this provisoe be Added after the end of the 26th line after the word notwithstanding provided that nothing in this Act conteyned shall restraine or be Construed to restraine or hinder any of the Inhabitants of this province with any the goods or Merchandizes bought at any the ports or places aforesaid or with goods or Merchandizes by them purchased or Imported and landed at any the ports and places aforesaid To buy and purchase at their owne or others

p. 17 ports and places necessary
rinke for themselves and
Anything in this Act before
wise notwithstanding—
imediatly in the 33th

last clause in the said
they thinke it necessary
tha whatsoever be landed at
such app ntee as aforesaid
the Consideracōn of this house

Shall be brought to the ports and brought how the same shall be the price of storeage may be setled the Consideracōn of this house how his Lor out publique levyes and all the officers fees which are due vpon execucōn and old debts shall be payd & Collected— L. H. Journal Original.

They humbly conceave That this Act nor any thing therein conteyned shall not give liberty to any person or persons whatsoever To Export out of this province any goods or Comodities by law of this province prohibited to be exported nor any waies repeale or set a side the law or Act against Engrossers—

Signed p Ordr of the
Comittee Tho: Bland—

The same being read and Considered on: Ordered that the said Act with the said Alteracōns be sent to the Vpper house with this Message Vizt

Lower house 2d November 1682.

This house tely received from the vpper house a Bill Entituled an for Advancement of the trade of Tobacco and Comitted same to the Consideracōn of a Comittee for that purpose who have brought into this house the said Act and also some alteracōns and Queries of the said Comittee which they reported to this house and now this house doe send the said Act with the said Alteracōns to the Vpper house Desiring the vpper house to appoynt some members of their house To ioyne with the said Comittee of this house To Consult further the Act and alteracōns aforesaid in ordr to the perfecting & finishing of the said bill—

Signed p ordr Tho: Grunwin
Clk of the Lower house—

The peticōn of philip Lines to the Vpper house That his Errors betwixt Henry Hardy & himselfe might come to a speedy hearing. Which came to this house from the Vpper house Endorsed as followeth—

Vpper house Novem p. 18
This house are willing to
house will please to spa
to come and Argue

The Lower house
followeth—

L. H. Journal Original.

This house are w houts
That are Attorney ssembly
to morrow being the 3 mber
Tho: Grunwin
house

The house Adjourned

ffryday 3d

The house sate againe and prese
Then was read what was done
Capt Hill and Mr Hutching vpper house with the bill for Advanceing the trade of Tobacco and the alteracōns and Queries therevpon and the message yesterday drawne relating therevnto They returne and say they have delivered the same—

Comittee of Accompts goe out—

Coll Stevens from the Vpper house with this Ensuing message—

Vpper house November 3d 1682.

This house have appoynted the Honoble Coll Vin: Lowe and Coll William Burges members of this house to joyne in Comittee with some of the members of the Lower house to Consider of and perfect the Act for Advancement of Trade to meete for that purpose forthwith at the house of Mrs Cordea

Signed p ordr John LLewellin
Clk of Assembly

The said Message being read It was ordered that the Comittee first appoynted by this house to Consider of the said Act goe out to joyne with the said 2 members of the Vpper house to Consider and perfect the said Act—They goe out accordingly—

The buisines of Jacob Young moved in the house And therevpon this Ensuing Message sent to the Vpper house—

Lower house 3d November 1682.

This house taking notice at the opening of this Assembly That his Lorpp was pleased to speake concerning Jacob Young now a prisoner And having as yet nothing Comitted from his Lorpp or the Vpper house relating

p. 19 before them severall Informacōns
know from the Vpper house
inke fit to Comunicate any

cerning the said Prisoner L. H. Journal Original.
Signed p ordr Tho: Grunwin
Clk of Lower house—

to the Vpper house Vizt

November 1682
the Vpper house will
plea of their house to joyne with
for drawing the Reviving bill
Signed p ordr Tho: Grunwin
Clk Lower house—

ssage sent by Mr Clement Hill &
Mr B who returne & say They delivered
the that Coll Stevens is ordered by the Vpper
house to joyne for that purpose—
Mr J & Mr Leonard Greene sent to the Vpper
house with this following Message Vizt

Lower house 3d November 1682.

This house onely Considering of the season of the yeare as to their owne perticulers, but of the greate charge dayly accrewing to the publique Aswell by ourselves as the Gentlm of the Vpper house Doe desire the dispatch of all buisines before vs thereby to make this sessions as short as possible may be And for that purpose Doe desire Answer of those things before the Vpper house from this house And what further they please to Comunicate—

Signed p ordr Tho: Grunwin
Clk of Lower house

They returne and say they have delivered the same—
The house Adjourned till to morrow morning
9 o'clock—

Saturday 4th November 1682.

The house sate againe and present as before—
Then was read what was done yesterday—
Coll Coursey from the Vpper house with these two
Messages Vizt

In Answer to the Message from the Lower house relating to the bill for Electing and sumoning Burgesses & Delegates and representatives &c. This house doe say That after the Transmitting the said bill to this house from the Lower house

L. H. Journal Original. there was delivered an Addresse from the Lower house to the R^t^ hono^ble^ the Lord prop^ry^ while he was present in the Vpper house relating to that bill as this house—

p. 20 cannot but confesse that
apply themselves in the
to expect the Ans
perhapps by his
bill conteyned by
otherwise direc
into a bill to
houses (who ovince)
into a perpetu LLewellin
bly

Vpper house
This house hav due
Young Comitted are of emselves
high treason could they
Vote Vpon Oath But such not to be had
they being Indians and This
house is likewise of opinion said Jacob is a
person soe dangerous for his and power with the
Indians that he is not fitt to live at liberty And this will appeare by the deposicōns taken by the Attorney Generall which he is ordered to Comunicate to the Lower house—Wherefore wee are of opinion That it is the safest for the Lower house to Impeach him for his high misdemenors before the Vpper house That soe the two houses may ioyne vpon the certaine Evidence wee have to Confine him for life though wee cannot take his life away by any Act in force for Treason at this day And desire the Answer of the Lower house in this affaire soe to Conclude this sessions— Signed p ord^r^ John LLewellin
Clk of Assembly—

Voted in this house That this house doe Concurr w^th^ the Vpper house in Impeaching Jacob Young before the Vpper house Also that Coll Co ey being soe Considerable an Evidence against the said Jacob be steyed here at the Assembly till the Charge is finished against him—

M^r^ Attorney Generall sent to vpper house to Acquaint the Vpper house with the aforesaid Vote & request—He returnes and sayes he had delivered his Message—

The dorekeeper tells the house That a Messenger was at the dore but would not deliver his sword Wherevpon it was Voted in the house That noe Messenger from the Vpper house be Admitted into this house with their swords on Contrary to the Antient rules & Custome of this house And M^r^ Attorney

Generall ordered to Acquaint the Messenger therewith who goes out & returnes saying he has performed the order of the house— L. H. Journal Original.

Ensuing Message be sent to the Vpper p. 21
Clement Hill as followeth Vizt

november 1682.
ney Generall acquaint the Vpper
in opinion with the Vpper
ceived by this house about Jacob
to proceed to Impeach-
accordingly proceeded to
said Impeachment but being
give Coursey who is the principall evidence
again goeing away from the Assembly
to Order Coll Coursey to stey
against the said Jacob Young or else
impeachment will be much lessened
therevpon will be much impeded
if as for any prosecucōn against the said
Jacob Signed p ordr Tho: Grunwin
Clk of the Lower house

Then it was dered that the Attorney Generall Mr Robert Carvile & Mr Rouseby be the persons to draw vp the Impeachment against Jacob Young They goe out accordingly And carry with them the Affidavitts of John Higdon and Mr Joshua Doyne which were as followeth—

Ld Propry
agt
Jacob Young

John Higdon aged about 25 yeares maketh oath That he this Deponent since the time of the Imprisonment of the said Jacob did here the said Jacob young give out in speeches that he the sd Jacob Young would be Revenged of those that put the Irons on him and make them pay for the same or words to that effect he often declared—

3d No: Jurat cor me John Higdon
1682 Tho: Bur

Joshua Doyne now sheriffe of St Maries County maketh Oath That he the Deponent since the time of the Imprisonmt of the said Jacob having discourse with the said Jacob of & concerning the piscattowayes & susquehannoh Indians in Relacōn to his Lorpps people of this province the said Jacob in severall discourses did declare to this Deponent That the sus-

L. H. Journal Original. quehannohs were an Innocent people But being often abused & slighted and diserted by the Piscattowayes especially in the piscattowayes not standing and assisting the Susquehannohs in their late warrs with his Lor^pp^ and the good people of this province He the said Jacob in tender kindnesse to those Susquehannohs and in Assistance of them against the piscattowayes freindly neighbours to this province did Vndertake & pforme severall perilous & toylesome travells—

p. 22 To Rally together those Sus
the said Susquehannoh
he had such a power
and senecas That he
3^d^ November 1682.
Jurat Coram me
Tho: Burford—

The Dorekeeper there is
a Messenger at the Dore but will not
deliver his sword And the said
Messenger sayes he
prop^ty^ Wherevpon of the
house went and received the
house as followeth

Gentlemen

It is with very greate trouble time I am
Compelled to deny a request delegates and
Dep^ties^ of this province, And at this time in
regard that vpon my not answering desires in your late
Addresse I shall runn some hazard as you seeme to hint) in having my good intentions toward the ffreemen of Maryland called in Question by you However I must Resolve to returne you this Answer—That I thinke your late request is of that nature That it will be as well inconvenient for the ffreemen to accept as it may be dangerous for me to Grant, what priviledges and powers I have by my Charter are from the King, And that of calling Assemblyes in that such manner & way as I shall thinke fit being an Vndeniable one amongst the rest I cannot deeme it hono^ble^ nor safe to Lodge it in the ffreemen as you have desired ffor it would be as reasonable for me to give away my power of calling & disolving Assemblyes as to give that of choosing the number of Delegates And such persons as
I should hold my power in the latter would not
satisfied afore they request the power from me of
former; Against this I cann have noe assureance should I wonce graunt what you have soe vnkindly desired therefore I hope you will not hence forward presse any thing of this

nature to me Being Resolved never to part with those powers my Charter gives me But alwayes to exercise them for the Ease good and welfare of the ffreemen Vnder my care And by soe doeing I shall ever be best able to Render a good Accompt of my greate charge here to my soveraigne Lord the king By whose greate grace favour & goodnesse I enjoy all I have And soe I rest

L. H. Journal Original.

Mattapany the 3d of Novemb 1682. Yor loving freind C Baltemore

eferred p. 23
Hill sent the Vpper house to know if they
am er of their house to joyne with
bill—He returnes and
appoynted Coll Stevens—
Clement Hill and Capt
the part of this house—

Townes goe out and Majr Weekes

Read wherein he craves
this Assembly which was
house thus—

per House November 4th 1682.
his Lorpp to Attend this Assembly
hath his Attendance for which this house
conceav to be allowed; The Lower house are desired
to take to their Consideracōn soe as to Award
him a reasonable allowance—
Signed p ordr Jno LLewellin
Clk of Assembly—

Endorsed by the Lower house as followeth

Lower house 4th November 1682
This house had never any notice That such Comand was given to the petr to Attend the Assembly And doe conceave That his Attendance is in the way of his office as having a prisoner here And soe noe Allowance ought to be made
Signed p ordr Tho: Grunwin
Clk of Lower house—

Mr Hall & Mr Ennalls ordered to carry the same to the Vpper house who returne and say the Vpper house is Adjourned

The house adjourned till munday morning a clock—

L. H. Journal Original.

Munday 6th November 1682

The house sate againe present as before—

Then was read what was done on Saturday

Mr Hall & Mr Ennalls goe to the Vpper house with the peticōn of Mr Joshua Doyne—They returne & say they have delivered the same—

His Lorpps Lre to this house in Answer to their Addresse Debated in a full house—

And therevpon it was put to the Question whether the number of Delegates in each County to serve in Assemblyes ought not to be assertained And whether two in each County be the number Voted in the Affirmative

p. 24 And that Mr Clement and
goe to the Vpper for the
goe out and retu
as soone as the
Coll
the gate
&c

Vpper
This house desired to Lower house
what measures they
proceeded in the his
Lorpps person Debated
and Resolved vpon
Begining of this John LLewellin
Assembly

The debate thereof ref house to morrow morning

Comittee for the Reviving bill come in

Mr Clement Hill & Mr Richard Hill Ordered to draw vp a new Act about Eleccōns of Delegates persuiant to the said Vote this day past in the house—

The house adjourn'd till to morrow morning 9 a clock

Tuesday 7th November 1682

The house sate againe present as before

Then was read what was done yesterday—

All Comittees out were called in—

The Bill for directing the manner of Electing and sumoning Burgesses Delegates and representatives to serve in succeeding Assemblyes Read the first second & third time by speciall Orde the house And past And sent to the vpper house

Mr Hatton Capt Smith Capt Osborne and Mr Greene Coll Stevens from the Vpper house with the Bill for Advancemt of trade with this Ensuing Message— L. H. Journal Original.

Vpper house No: 7th 1682.

This house having read the bill Drawne vp by the Comittee of trade Doe Vote that the same ought to be Amended in that clause allowing 1 l of Tobacco p hhd for one yeares storeage and should be thus expressed for and during any time not exceeding one yeare And desire the Lower house to ioyne with this house in supplicating his Lorpps leave to nominate the places for Townes in each respective p. 25 appo the Comissioners—

Signed p ordr John LLewellin
Clk of Assembly—

Trade read the first time
of the house goe out to
urne
of the Guard debated
And thereof referred till to morrow
morn
to Consideracōn a Message from the
of No mber instant wherein it is
legally Represent the ffreemen
of this the Question—
well as the Lower house are
the of the ffreemen of this province
Resolved Ne Contradicente That the Deputies and Delegates chosen by the ffreemen of this province in a Generall Assembly Assembled, are the onely Representative body of the ffreemen of this province—

Then was put to the Question whether the charge of the Vpper house of Assembly shall be brought to the publique accompt And soe payd by the publique—

Resolved that the publique ought not to be charged or beare the charges or expences of the members of the Vpper house

The house Adjourn'd till to morrow morning 9 a clock

Wednesday 8th November 1682

The house sate againe and present as before—

Then was read what was done yesterday

The Bill Reviving of the Temporary lawes read The 1st 2d & 3d time by especiall order of this house And past—

L. H. Journal Original.

The Articles of Impeachm^{t} against Jacob Young Read in the house—

M^{r} Carvile and maj^{r} weekes goe to the vpper house with the bill for Revivall of the Temporary lawes and with this Message concerning Jacob young And also with the said Articles—

Lower house 8th November 1682.

This house desire the vpper house would be pleased to send to this house The Articles of peace with the Notherne Indians made first at Albany by Coll Coursey And all other matters lying before them relating to Jacob young in order to the proceeding vpon & proving the Impeachment laid against him &

p. 26 more pticulerly the Informacōn of Coll Coursey

ꝑ ord^{r}
Clk of

They returne
The Bill for
time And the
same should be it is
Amendm^{t}
Also Resolved That the to the
Vpper house by M^{r}

Low

This house have received bill
prepared by a Comittee
for Advancement of Trade read in
this house And vpon full house doe
find The same is necessary in severall
perticulers which will take doeing And the same Act to be of greate weight and requires longer Consideracōn Then cann be spared at this time And therefore have Voted That the further Consideracōn and debate thereof be referred to the next sitting of Assembly—

And this house desire an Answer to the bill of Eleccōns in the vpper house—

Signed ꝑ ord^{r} Tho: Grunwin Clk of Lower house

Signed ꝑ ord^{r} Tho: Grunwin Clk

Coll Lowe from the vpper house with severall papers relating to Jacob Young And with these bills

Bill for naturalizacōn of William Blankinstein—

Bill for naturalizacōn of Rowland Nans—

both past the Vpper house—

Also a Bill for Lycencing the Inhabitants & prohibiting forreigners to trade with the Indians—

And another bill for the Clk of the ncells fees both past the vpper house also— L. H. Journal Original.

All Ordinary keepers Ordered to bring in their Accompts to morrow morning—

The Bill for naturalizacōn of Rowland Nans Read and past by order of the house And sent againe to the Vpper house by Mr Gibson—

The Bill for the Clk of the Councells fees read the first time—

The Bill for trade with the Indians &c Read the first and second time by especiall Order of the house—

Coll

from the Vpper house with this . . p. 27

Rela to Townes—

Vpper ho vember 8th 1682
ceived a message from the Lower
ancement of Trade by which
they had comitted the said bill
the said Comittee—and desired
of the members of our house
to Consult further the said Act
to the perfecting & finishing the said
f good reasoning the Lower house
to have Voted all those amendmts
mittee—
that it be necessary & Convenient That
ports appointed and that they will tend much
to and security of the province, and then
Voted ments, To all which amendments this house first by their Comittees agreed, and afterwards Vpon reading the bill in this house, soe that the bill is by vote of both houses voted necessary, and that for the honr and safety of the province, And shall wee after eight dayes spent Vpon it forget it to be necessary for our defence and lay it a side quite after twice reading in the Lower house because they say it is necessary to be amended in divers perticulers, This house doe say they are as ready to Consent to any amendments now as they were at first, and desire to know Wherein it ought to be amended that they may joyne with the Lower house in the Amendment of a Bill by both houses Voted necessary for the safty and security of of the province, That ought to be our cheifest care and ought not to be left of for the debate of a few more houres now wee spent soe much of the publique money in the prosecucōn to this poynt, and that it is soe farr Advanced— efore this house desire to know wherein the Lower house desire to have the bill for the Advancemt of trade in th province amended, or else that they

L. H. Journal Original. will passe as it is, and leave the Amendments to the next meeting of Assembly That soe the places being knowne building may goe forward, and the Jnconveniencies arrising Vpon this bill may the sooner be found, & consequently remedied, since it ought not to be surmised that either of the houses will obstinately refuse their Concurrence to promote soe greate a good as the safety of the province to which this bill tends by the Vote of both houses—

Signed & ordr Jno LLewellin
Clk of Assembly—

p. 28 Mr ffrisby and Mr peirce
Message relating to rade with
th bill concerning
Mr LLewellin for
of the Councills

This house do the
Jndians be dra
Licencing the trade wth
the Indians and prohi this house
are willing to passe to aying
every twentieth part as in
the said Bill is exprest shall
be Attempted to be tran eaning
thereof with a provisoe not prohibiting
trade with the Jndians any or alive saving
deere and wild fowle and for Repeale
of an Act in Governor stones time—

Signed Tho: Grunwin Clk

The said Messengers returne and say they delivered the same—Alsoe That my Lord ordered Mr LLewellin to looke out the bill formerly drawne for Clk of Councills fees and bring it to the house next morning—

The house adiourned till to morrow morning 9— a Clock—

Thursday 9th November 1682

The house sate againe and prsent as before—
Then was read what was done yesterday—
The bill for Clk of the Councills fees read the second time And the Debate referred till the former bill produced
The Message of the Vpper house yesterday by Coll Stevens relating to the Act for Advancement of trade read againe in

the house, and put to the Q tion whether the Debate be Reassumed— ted in the Negative L. H. Journal Original.

And then put to the Quest whether the house should stand to their Vote yesterday That the Consideracōn of the said bill for Advancement of Trade be Referred to the next Assembly: With giving reasons to the Vpper house for such their Vote; or without giving Reasons—

Voted with giving reasons—

The reasons and a message therevpon read twice in the house and being well liked on by the house—Ordered the Same be sent to the Vpper house by Mr ffrisby & Mr peirce which are as followeth

The Amendments necessary for the bill for Advancemt of trade—

cond and third Article for purchasing towne lands there p. 29
dwelling plantacōns which seemes
pelled him against his will—
not tanding that every person that
submit to part with such
by the Comrs yet there is noe
every such person left to be
times as every lott shall
noe way secured—

3dly of be devided into one hundred Lotts
noe streetes cann be Admitted
every Lott will be too small
house warehouses and a
must certainely discourage every
person Townes—

4thly Art of the eyned within the Parenthesis in the 10th good sence seeming to Oblige the owners and Merchandizes to be delivered at the Townes whereas wee suppose it is intended that the severall Tobaccoes or other goods should by the owners thereof be brought to the Townes before any sale or disposall made thereof And not that any Tobacco or other goods should be first sold and then fetcht by the purchasor and barely delivered at the Towne be such purchasor and imediatly Shipt againe Contrary to the designe of this Act Which notwithstanding will be put in Generall practice if not well provided against—

5thly By the words of the 12th Article the sheriffe or Collector of the publique dues is obliged to disburse their whole sallaryes for the transporting such publique debts to the Towne whereby nothing will remaine to themselves for their Collecc̄ons

6thly By the 11th Article any person That shall build a house

L. H. Journal Original. in a Town persuiant to Act may have his owne Tobacco shut out by the first comers be made lyable to secure their Tobaccoes Enough to set Inhabitants together by the Eares—

7thly Jt appeares vp the whole That notwithstanding it is intended That noe plan may dispose of his Tobacco at home as heretofore Vsed vnder the penalty of forfeiting it yet there is noe reasonable way laid downe he shall be enabled to bring it to the Towne or house and secure it when brought there—

8thly That the Delegates for the severall Counties without having first well Considered and advised Vpon it in their Counties cannot take Vpon them to Advise his Lorpp to pitch Vpon a certaine place for Townes & ports as aforesaid—

The Message—Lower house 9. No: 1682.

Jn Answer to the last message relating to the bill for Advancement of trade this house doth say That the severall alteracōns amendments & Queries brought in by the Comittee
p. 30 were never voted by this house Concea
too Generall and Vndigested put to
Yet out of Respect to (as
Resolved to give it a Comi
wee then thought
moved that some
that Comittee to
both houses the bill well
respecting the Ea as
the honor of the fter for many
dayes spent there vpon as (to the
publique cost, that severall & amendmts
were still wanting That
by a third Comitment spent
without making sufficient for
a designe of this weight & delay
cann be noe wayes tollerable house rather
chose (then a bill soe much desired should be
rejected, to deferr it vntill house being
still firmely Resolved To stand Vote of this house—
Yesterday sent to the Vpper house by Mr Hutchings and Dr Brooke— signed p ordr Tho: Grunwin—
Clk of Lower house—

Coll Stevens from the Vpper house with another Bill for lycencing the Jnhabitants and prohibiting forreigners to trade with Jndians & with this Message relating therevnto—

Vpper house No: 9th 1682. L. H. Journal Original.

The Greate disquietts That arrise by some traders that goe from towne to towne amongst the Indians raising false reports to the Endangering of the publique peace was the reason why this house thought fitt That noe Jnhabitant of this province should trade amongst the Jndians without Lycence and security given for the entieth part, and are of the same opinion still—They willing to incert a provisoe not to repeale the Act adeing for any flesh dead or alive with the Indians And if the Lower house will Consent to this; Th house will cause the provisoe by them in that case sired to be incerted, And the Act to be faire Engrossed And the Act for trade with the Jndians to be repealed This house thinke it also necessary That another Act touching pagans made Anno 1647 be also repealed; fforreigners wee conceave are prohibited effectually And therefore desire the Lower houses Concurrence to this bill—

Signed p ordr John LLewellin
Clk of Assembly—

Mr ffrisby & Mr Peirce returne from the Vpper house saying they have delivered what they were sent Vp withall last

whether Jacob Young be accused in this p. 31
Articles Ex ted against him—
Voted in the affirmative
with the Articles against
Vpper house That this house
same against the said Jacob
ease And that the Vpper—
the time—And that the
answer of the bill for Eleccons
delivered his message And as to the
bill told him That other buisines had
Mr vile sayes he told the Chancellor
bill was the maine buisines of the
Lower h
with this message from the Vpper house
false package of Tobacco—

Lo use 13. May 1682.

This house have sent to the Vpper house their bill against false package of Tobacco and tare of hhs with a bill from this house against the abuse in the tare of hhs And doe assure the Vpper house That they have had severall & many debates from time to time concerning false package of Tobacco, & severall Comittees and a law drawne Vp by our owne Comittee but at last could not agree of the way to remedy this abuse,

L. H. Journal Original. But doe leave it to be the first thing Considered at the next Sessions of Assembly

Signed p ordr Tho: Grunwin
Clk of the Lower house—

Vpper house November 9r 1682.

By which it appeares That the last Assembly there was greate debate abou the bill propounded by this house prohibiting Vnreasonab ares of hhs and for punishing false package of Tobacco, wee had the promise of the Lower house That that bu es should be taken into Consideracōn the first thing the Assembly This house wonder they heare nothing of that atter being of soe greate concerne to the Trade of the Province—

Signed p Ordr John LLewellin Clk
of Assembly—

Coll Lowe & Coll Stevens from the Vpper house wth this message concerning Townes Vizt

Vpper house No: 9th 1682.

Vpon Consideracōn of the last Message from the Lower house relating to the bill for Advancement of Trade Resolved that that bill is soe necessary for the security Defence & increase of the province that this house will sitt Eight dayes longer to amend the said bill if it cannot be finished sooner,
p. 32 and to that end will resolve themselves into
The Amendments of
to joyne themselves per
of both houses to

The two Res stant
Sent to the Vp with By Mr
Attorney Genera vile Mr
Clement Hill Mr ffr Mr Weekes
which was as fo ow

Lo

The Lower house of ssem Vote of
the Vpper house of the nt
having after long debate wne Vp &
Exhibited an Impeachmt Young Doe
now Expect a Speedy, Com o sessions as in the
said Vote was expressed Wherefore this house have
Resolved not now to treate about new matters nor Recede from their last Resolve relating to the Act of Trade—

Signed p Ordr Tho: Grunwin
Clk Lower house—

The Act for Advancement of Trade sent to the Vpper house by Capt Osborne and Mr Hatton—They returne and say the Vpper house is Adjourned— L. H. Journal Original.

The house Adjourned till to morrow morning 9 a clock—

ffryday 10th November 1682

The house sate againe present as before—
Then was read what was done sterday—
The Comittee of Accompts goe
The last bill from the V house lycencing Jnhabitants and prohibiting rreigners to trade with Jndians Read the fir time And therevpon Mr Carvile sent to the Vpp ouse to Acquaint that house That if they please to the bill Engrossed and ascertained what law they eane touching pagans And that if it be the same law which this house Vnderstands ought to be repealed This house will passe the said Act And to Enquire what time they will appoynt for the Tryall of Jacob Young—He returnes and sayes he delivered his Message. And that the Vpper house say they will Consider of the law by the Lower house intended to be repealed Entituled An

Agreeing the latter part of the said p. 33
to be ealed, but would further Consider
And there was a Message coming
of of Jacob Young—
the Vpper house with

No: 10th 1682./
Jacob young a Coppy of
vp against him by the
to know what members of the
to mannage that charge That
all before them the said Jacob
Signed p Ordr Jno LLewellin
Clk of Assembly—

dered that this message be sent to the
Vpper to the last of theirs by Mr Ennalls
as follo

Lower house 10th No: 1682—

This house in pursuiance of the last Message by Coll Lowe have appoynted the Attorney Generall, Mr Carvile, Mr Clement Hill, Mr Addams, Majr Weekes and Mr Gibson to be the Per-

L. H. Journal Original. sons (members of this house) to mannage the charge against Jacob Young and shall be ready to morrow accordingly—
Signed p ordr Thomas Grunwin
Clk of Lower house—

Mr Ennalls returnes and sayes he has delivered his message The persons appoynted to mannage the said Charge goe out to consider and Consult therevpon—

The Comittee of Accompts come in & bring their Journall Coll Lowe from the Vpper house with these two messages Vizt

Vpper house No: 10th 1682./

Jn Answer Message of the Lower house of the 7th instant last received this house doe say That they intend not an ing by those words in their message Dated the 4th instant ffurther then that they are a part of the body Pollitick this Province without whose Assent noe law cann passe and doe now Vote accordingly And that they did expect direccons from his Lorpp in relacon to the bill for Electing and sumoning Delegates &t ere they would proceed therein That the two houses might not loose their labour—
Signed p ordr
John LLewellin Clk
of Assembly—

P. 34 Vpper house No
This house having
Lower house Nov 9th in
to the bill for Ad
the severall Am
house) necessar
Amendments are
easily added bill
may not be de with
the Lower house Vpo ments to
morrow after noone ohn wellin
bly—

Therevpon put to the Q ence
Vpon the said Bill be Ad by the Vpper
house— Voted ive—
Voted That the Chann this yeare for the lead by him sent for from England for the vse of the state house—at the rate of six shillings p hundred pound of Tob: without any Advance—

Voted that Mr Doyne be Allowed but 400 l of Tob: for Executing one Browne a Malefactor—

The Accompts of the Rangers Debated and the Debate referred till to morrow— L. H. Journal Original.

The house Adjourned till to morrow morning 9 a clock—

Saturday 11th No: 1682./

The house sate againe present as before—
Then was read what was done yesterday
Coll Lowe from the Vpper house And acquaints this house that the Vpper house are calling Jacob Young to the Barr, And to k f the members of this house appoynted to man the charge against him are ready—
The Demannde of the R ers of Baltemore County Debated And put to the Q tion whether the same be allowed in the publique not—

Voted in the affirmative

The persons appoynted to mannage the charge agt Jacob Young goe to the Vpper house. The house Adiourned for halfe an houre—The house sate againe—
The Ordinary keepers Accts Debated in the house—
And therevpon Resolved That they be Allowed for syder 25l tob: p Gall, except Mr Vansweringen & he to have for his boyld syder 30l tob: p Gall ffor wine 40 p qrt & Rumm 40 p qrt—

Question whether this house in the Conferrence p. 35
house sist onely Vpon their former Votes
Bill for A ement of Trade, and soe goe noe
; Or Conferre vpon Amendmts
of the said Bill this sessions
discourses) Vpon their former
this sessions Capt Hill goes to
ime & place of the Conferrence
per house are Coming to the state

ho
Th
in

the Roome over the Lower Roome
Coll Stevens Comes from them and
per house now waite the
wherevpon this house Adjourned
Com Vp staires to the Vpper house—
for ded— The house sate againe—

Voted That the Gratuity given to Coll LLoyd
of 6l tob. p poll paid in Talbot County and soe Entred
in the journall of the Comittee of Accompts—
The house Adjourn'd till munday morning
9 a clock

L. H. Journal Original.

Munday 13th Novemb 1682.

The house sate againe and present as before—
Then was read what was done on Saturday—
The Comittee of Accompts goe out—Mr Clement Hill added to the said Comittee—who goes out also—
Mr Hatton brings a note of charge of the Guard at Mattapany this yeare when in danger of the Pyratts amounting to 39900l of Tob: The Consideracōn thereof referred till to morrow morning—
Then was to the Vpper house this Ensuing Message by Capt Hill Mr ffrancis Hutchings Vizt

Lower house 13. No: 1682.

This house That the Vpper please to dispatch those three bills bef them Vizt The Bill for Revivall of the Lawes; the bill f ade with Jndians, and the bill for Eleccōns Whereb th houses may be in a readinesse agt his Lorpp please appoynt the day of sessions—
signed p ordr Tho: Grunwin
Clk of Lower house

They returne & say they have delivered the same—
The Comittee of Accompts come in—
Severall Ordinary mens Accompts concerning Grand Juries expences last provinciall Court one Grand Juries expence amounting to 5090l tob: Debated And Voted that there be allowed noe more then according to Act of Assembly Vizt 2500l

p. 36 An Accompt produced to th
for Allowance to Mr Enna
77. & 78.— oted
Coll
ho

Mr Kenelme C of the
Provinciall Co this house
to Assist Jacob Young Answer
to the severall Articles ted against
him by the Lower ho to
Accept thereof A this day
Ordered Mr Thomas Bla his swer
the said Jacob Young cannot
conveniently prepare his time, hath
peticōned this house to all till to morrow
to provide himselfe which hath graunted him
and hereby acquaint the Lower house therewith—
Signed p ordr John LLewellin
Clk of Assembly—

Novemb 13. 1682./ L. H. Journal Original.

Jn Answer to the paper Received this day from the Lower house The Vpper house doe say That they have the bill for Reviving of the Lawes Vnder Consideracōn, That the bill for trade with the Jndians hath been Considered And they find the said Bill must conteyne a Repeale not onely of the Act concerning trade with the Jndians but also the Act touching pagans made 1647 which is perpetuated 1676 as will appeare by the booke of lawes now in the Lower house in fol aswell as of the last Clause at least of the Act tou Jndians fol 10 of the said booke with a provi to repeale the Act against trading with the Jndians for flesh dead or alive &c. And this house further to the said bill for trade with the Jndians That Complaints have come to his Lor^pp^ against the Delaware Jndians on Saturday last By which it appeares to this house That it will be dangerous to the peace of the Province to let every Jnhabitant of this Province trade at his owne house with Jndians And therefore propound that it be Enacted That every Jnhabitant in a trade with the Jndians with out lycence at some perticuler places in each County Viz^t^ in Charles County at Coll Chandlers—in S^t^ Maries County at Maj^r^ Boarmans—in Calvert County at Coll Jowles—in Anne Arrundell County

or Coll Burgesses in Baltemore County at Coll Wells p. 37
Cap. P s in Talbot County at Coll LLoyds in
Coursey Maj^r^ Ringolds in Dorchester
erset County at Coll Stevens or
desire to goe to the Jndian
security as in the said bill is
houses Concurrence That the bill
Signed p ord^r^ John LLewellin
Clk of Assembly—

Co ouse That the Vpper house desire
the V to them—The Same sent
by to acquaint the Vpper house
That is not in that booke—He
tur Adjourn'd till to morrow morning 9 a clock.

ay 14. Novemb 1682

The house sate againe and present as before—
Then was read what was done yesterday—
Coll Lowe from the Vpper house to Acquaint this house That Jacob Young is called to the Barr of the Vpper house And to know if the members appoynted to mannage the Charge against him are Ready—

L. H. Journal Original. Mr Ennalls & Mr ffrisby sent to the Vpper house to tell the Vpper house That the members of this house appoynted to mannage the charge against Jacob Young are ready and coming to Attend the Vpper house for that purpose And with this Ensuing Message relating to the bill about trade with th Jndians—

Lower house 14 No: 1682.

Jn Answer to st Message yesterday by Coll Lowe from the Vpper hou his house doe say That according to their former Verball essage by Mr Carvile the Tenth instant This house will the bill for Lycencing the Jnhabitants and prohibiting eigners to trade with the Jndians as the same is now dra e And therefore now againe Declare That they concurr and agree with the Vpper house as to the Repealing of the said Act Concerning trade with the Jndians And that touching Pagans made in the yeare 1647 which this house find perpetuated in 1676. (but not incerted in the body of the lawes) And also Concurr as to the Repeale of a latter part of an Act touching Jndians with a saving of the Act against trade with the Jndians for flesh dead or alive &t. But as to the other part of the said Message relating to asser-
p. 38 taining the places for Jnhabitants trading
house cann in noe wi curr
therein—

Mr Ennalls & Mr
their Message—
Put to the Q the
persons onely ap against
Jacob Young b

house—

The house Adjourn d
The house sate a Charge
against Jacob Young put to the
Question whether that

affirmative

Coll Stevens from acquaint
this house That Jacob Y peticōn to the
Vpper house hath leave till rrow morning to Answer
the Addiconall charge—

Mr Hatton sent to the Vpper house for the booke of lawes—
He returnes therewith—

The house Adjourn'd till tomorrow morning
9 a clock—

Wednesday 15. Novemb 1682. L. H. Journal Original.

The house sate againe present as before—
Then was read what was done yesterday—
Voted in this house That this Ensuing Message be sent to the Vpper house as followeth—

Lower house 14. Novemb 1682.

This house having taken into their serious Consideracōn the severall Messages sent to this from the Vpper house touching the Guard of h pp^s^ person and the Magazine at Mattapany. and th erall debates of this house thereupon—This hou ave Resolved That the Act for 2^s^ p hh^d^ has suffici provided for defraying the publique and necessary rges of Goverment of which the matter in debate art And thereby at all times ought to be defray , but this house desireing the Safety of his Lor^pps^ person, And having alwayes in Remembrance his Lor^pps^ favours to the Jnhabitants of this province Doe in token & Demonstracōn of their Gratitude to his Lor^pp^ (soe farr as the necessities of the people will permit) offer to his Lor^pp^ the sume of 100000 [l] of Tobacco To be payd this yeare And desire the Concurrence of the Vpper house therein—

Signed p ord^r^ Tho: Grunwin
Clk of Lower house

by M^r^ William Hatton p. 39
M^r^ Gr They returne and say
essage

harge against Jacob

th these two Messages

682.

Jn Answ wer house this day
received doe say That they are
of opinion purchased the two
shillings Rents But as to the
present [l] of Tobacco—This
house doe wer house therein—

Signed p ord^r^ John LLewellin
Clk of Assembly—

Vpp : 15. 1682./

This house having Cons d the Answer of the Lower house touching the bill for Lycencing Jnhabitants & prohibit-

L. H. Journal Original. ing forreigners to trade with the Jndians, And doe say that if this house had any prospect of an Act for setling ports &c as by the bill for Advancem[t] of trade was propounded could with reason Consent to the bill Lycensing Jnhabitants &c, as propounded by the Lower house But as matters stand they thinke it convenient to let that bill rest Till the bill for Advancem[t] of trade &c be againe Reassumed ffor if that bill passe the ports will be the onely places to trade at, As to the bill for Electing & sumoning Delegates &c, This house will also Consider that when the Bill for Advancem[t] of trade is Reassumed—

Signed p ord[r] Tho: Grunwin—
Clk Lower house—

The house Adjourn be present at the Tryall of
Jacob Young in pper house—
After the said Try nded the house sate againe
And A rn'd till 9 a clock next morning

Thursday 6[th] No: 1682.

The house sate againe and present as before—
Then was read what was done yesterday—
The Comittee of Accompts goe out—
Afterwards M[r] Hall sent twice to the said Comittee for the Act for the publique charge and all Accompts before the Comittee
M[r] Carvile sent twice also to the Vpper house to know if the Vpper house have past the bill for Revivall—

p. 40 The Comittee of Accompts con
the publique charge & all Acc
The bill for Assess pub
time—
Coll Lowe

This house hav
Temporary law Doe
Say that they the Lower
house will joyn the law
for Encouragem[t] of Convenient
places of delivery of
the Reviving bill hn LLewellin
mbly—

Therevpon put to the shall
insist Vpon the having Revived—
Affirmative

And that this Ensuing Mes to the Vpper house relating therevnto by Cap[t] Os rne & M[r] Smith as followeth Vizt— L. H. Journal Original.

Lower house 16[th] No: 1682.

This house looke Vpon the Act for Encouragem[t] of Tillage to be a beneficiall Act to the Country and ought to be Revived at present without Amendment which bill will necessary fall in the next Assembly if the Act for Encouragem[t] of trade then passe

Signed p ord[r] Tho: Grunwin
Clk Lower house—

And desire the Currence of the Vpper house herein And that the Reviving bill may passe as now drawne—

Coll Stevens from the Vpper house with a note of the charge of Jmprisonment of Jacob Young being subscribed By M[r] Joshua Doyne Sheriffe of S[t] Maries & Vnderwritt thus

Vpper house 16. 1682.

This house are of Opinion T Jacob Young being Jmpeached by the Representa of the province is the Countryes prisoner and his charges of Jmprisonment Consequently to be borne by the province and Recomend Consideracōn thereof to the Lower house—

Signed p ord[r] Jn[o] LLewellin
Clk of Assembly—

The Same being debated Ordered That M[r] Rouseby & M[r] Carvile draw Vp an Answer therevnto to be sent to the Vpper house to morrow morning—

The house Adjourned till to morrow morning 9 aclock

Charles absolute Lord & Prop[ry] of the Province of Maryland & Avalon Lord Barron of Baltemore &c To the Shreife of Anne Arrundell County Greeting, By the Advice & Consent of the ffreemen of our Province & of theire deligates in a Certaine Assembly held att S[t] Marys the 26[th] day of Octob[r] Last paste, Wee have ordained and enacted severall Laws (vizt) Liber W. H. P. 195

An act for Reviveing the Temporary Lawes of this Province.

Bee itt enacted by the Right Honourable the Lord Prop[ry] by

Liber W. H. & with the Advice & Consent of the upper & Lower houses of this p[r]sent Gen[ll] Assembly & the Authority of the same that one Act made att a Gen[ll] Assembly held att S[t] Johns the 17[th] day of Aprill 1661: Entituled an act for Appointm[t] of Certaine officers Excepting the Latter Clause thereof relateing to Shreiffes which is not Revived, one other Act made the same Assembly entituled an Act Concerning the Heith of ffences, one other Act made at the same Assembly entituled an Act for Conveyance of Letters Concerning the state & Publicke affaires, one Act made att a Gen[ll] Assembly held att S[t] Marys the ffirst day of Aprill 1662: Entituled an Act Concerning Indians, one Act made att a Gen[ll] Assembly held att S[t] Marys the 15[th] day of Septemb[r] 1663: there Continued vntill the 3[d] day of Octob[r] following, & from thence Adjourned vntill the 2[d] Tuesday in Septemb[r] 1664: Entituled an Act prohibiting arrests vpon Sabboth days & days of Gen[ll] Muster & Traineing, one other Act made the same Assembly, Entituled an Act for Amercem[ts] in the Prov[ll] & County Courts, one Act made the same Assembly Entituled an Act Concerning Proceedings att Law, Except one Clause in the Latter end thereof, (vizt) soe farr as the Court shall Judge them not Inconsistant with the Condiccon of this Province, which is not to bee Revived, one other Act made the same Assembly, Entituled an Act ag[t] the Exportacon of Wooll & old Iron, one Act made att a Gen[ll] Assembly held att S[t] Marys the 10[th] day of Aprill 1666: Entituled an Act Prohibiting Trade with Indians for any flesh dead or alive, Except deere & Wild fowle, one other act made the same Assembly, Entituled an Act Prohibiting
p. 196 fforreigne Ingrossers One Act made att a Gen[ll] Assembly held att S[t] Marys the 13[th] day of Aprill 1669: Entituled an Act for Limitacon of Certaine actions for avoideing suites att Law, one Act made the same Assembly entituled an act for Provideing sufficient ffreight & Carriage for the proper goods & Comoditys of his Lordshipp the Lord Prop[ry] of this Province & the Governo[r] of this Province for the time being, one other Act made the same Assembly Entituled an Act Limiting the Extent of Attachm[ts] & Provideing what shall bee Levied vpon Attachm[ts] & Execucōns, one other Act made the same Assembly Entituled an Act prôvideing what shall bee good Evidence to prove fforreigne debts, one other Act made att a Gen[ll] Assembly held att S[t] Marys the 27[th] day of March 1671: Entituled an Act ag[t] divulgers of false Newes, one other Act made the same Assembly Entituled an Act ag[t] Hoggstealers, one other Act made the same Assembly Entituled an act for the Provideing a Standard with English Weights & Measures in the severall & Respective Countys within this Province, one other Act made the same Assembly Entituled an Act Prohibiting the

Importacon of all Horses Geldings Mares & Colts, into this Liber W. H.
Province, one Act made att a Gen^ll^ Assembly held att S^t^ Marys
the 10^th^ day of Octob^r^ 1670: Entituled an Act for explanacon
of one Clause in an Act, Entituled an Act Prohibiting the
Importacon of all Horses Mares Geldings & Colts into this
Province, with an Addiccon & an Amendm^t^ therein, one other
Act made the same Assembly Entituled an Act for markeing
High Wayes and makeing the heads of Rivers Creeks branches
& Swamps passable for Horse & foote, one other Act made
the same Assembly, Entituled an Act for stay of Execucōns
after Aprill Court, one Act made att a Gen^ll^ Assembly held att
S^t^ Marys the 13^th^ day of Aprill 1674: Entituled an Act Con-
cerning the Impanelling the Grand Inquest in the severall
Countys within this Province, one other Act made the same
Assembly Entituled an Act for the Surveyo^r^ Gen^lls^ ffees, with
Addiccon of ffees vpon Resurveys & Levying the same, one
other Act made the same Assembly entituled an Act for paym^t^
of ffees due from Criminall ꝑsons, one other Act made the
same Assembly Entituled an Act Concerning those Serv^ts^ that
have bastards, one other Act made the same Assembly En-
tituled an Act ag^t^ Burners of fences, one other Act made the
same Assembly Entituled an Act prohibiting all Masters of
Shipps or vessells or other ꝑsons from Transporting or
Carrying away any ꝑson or ꝑsons out of this Province without
passes, one Act made att a Gen^ll^ Assembly held att S^t^ Marys
the 12^th^ day of ffebruary 1674: Entituled an act Concerning
what shall bee allowed to Grand Jurys that are sumoned twice
a yeare out of the body of the Province to Attend Prov^ll^ Courts,
one other Act made att a Gen^ll^ Assembly held att S^t^ Marys the
15^th^ day of May 1676: Entituled an act for secureing Mer-
chants & others Tobacco after they have Received itt, one
other act made the same Assembly Entituled an act Relateing
to the Seizure of Tobacco by the Shreiffe one other act made
the same Assembly entituled an act for Publicacōn of Mar- p. 197
riages, one other Act made the same Assembly Entituled an act
Relateing to Serv^ts^ & Slaves, one other Act made the same
Assembly Entituled an act touching Coopers & gage of
Tobacco hhds, one other Act made the same Assembly En-
tituled an Act for the Easem^t^ of the Inhabitants of this Province
in suites of Law for small debts, one other act made the same
Assembly Intituled an act for the Constables takeing the List
of Taxables, one Act made the same Assembly Entituled an
act ag^t^ the Importacon of Convicted ꝑsons into this Province,
one other Act made the same Assembly Entituled an Act for
secureing Credito^rs^ one Act made att a Gen^ll^ Assembly held att
S^t^ Marys the 20^th^ day of October 1678: Entituled an act for
Regulateing Ordinarys & Limiting the numb^r^ of them within

Liber W. H. this Province, one other act made the same Assembly Entituled an act for eleccon of Shreiffs, one other Act made the same Assembly Entituled an Act for the better Admcon of Justice in the County Courts of this Province, one other Act made the same Assembly Entituled an act for Appeales & Regulateing Writts of Erro^{r} one other Act made the same Assembly Entituled an act for keepeing a Register of Births Marriages & burialls, in each Respective County, one other Act made the same Assembly entituled an act Imposeing a penalty on such as shall dispose of Tobacco seized or Received by the Shreiffs or others, one other Act made att a Gen^{ll} Assembly held att the Citty of S^{t} Marys the 17th day of Septemb^{r} 1681: Entituled an Act for ordering & Regulateing the Militia of this Province for the better Security & defence thereof, one other Act made the same Assembly Entituled an act for the better Admcon of Justice in Probate of Wills granting Admstracōns Recovery of Legacys & Secureing filiall porcōns, one other Act made the same Assembly Entituled an act for the speedy bringing to Tryall and Suppressing Criminalls & Limiting theire Punishm^{ts} for Certaine offences when prosecuted in the County Courts, one other Act made the same Assembly Entituled an act for preventing vnneccessary & vexatious suites att Law, one other Act made the same Assembly Entituled an Act Restraineing the Exportacon of Leather & Raw Hides deere & Elke Skinns out of this Province for the Incouragem^{t} of Tanners and Shooemakers, One other Act made att a Sessions of Assembly held att the Citty of S^{t} Marys the Twelfth day of November 1681: Intituled an act ag^{t} Ingrossers & Regraters, One Act made att an Assembly begunn & held att the Citty of S^{t} Marys the 25th day of Aprill one Thousand Six Hundred Eighty & Two, Entituled an Act for Incouragement of Tillage and Raiseing Provisions for Advancement of Trade within this Province, one other Act made the same Assembly Entituled an Act Limiting the Expences of the Comissionrs of the County Courts of this Province, one other Act made the same Assembly Entituled an Act Assertaineing what damages shall bee allowed vpon protested Bills of Exchange, The same Acts and every of them bee and Are heereby Revived and Continued to stand in full force and vertue, for & dureing the Tearme of Three yeares or to the end of the next Sessions of Assembly which shall ffirst happen.

p. 198

An act for paym^{t} & assessing the publicke charges of this province.

Whereas there hath beene ffive hundred & Sixteene Thou-

sand Nine hundred Seaventy Two pounds of Tob. Expended Liber W. H.
laid out & disbursed by the vpper & Lower houses of this
p^r^sent Gen^ll^ Assembly & Severall other the good people of this
Province for the Publicke good of the same & to the intent the
same may bee satisfied & paid to whom the same is due, Bee
itt therefore enacted by the Lord Prop^ry^ by & with the Advice
& Consent of the vpper & Lower houses of this p^r^sent Gen^ll^
Assembly & the Authority of the same that the said ffive
hundred and Sixteene Thousand Nine hundred & Seaventy
Two pounds of Tobacco bee paid in manner & forme as is
heereafter expressed (that is to say) To his said Lordshipp
ffifty ffour Thousand ffour hundred pounds of Tobacco, to
Sam^ll^ Cooke ffifteene hundred pounds of Tobacco, To Richard
Benton Three hundred & Sixty pounds of Tob. To Henry
Cosden ffifteene hundred pds of Tob, to Rob^t^ Burnam ffifteene
hundred pounds of Tobacco, to Alexand^r^ Cunningham ffifteene
hundred pds of Tob, To the Hon^ble^ Phillipp Calvert Esq^r^ Two
Thousand ffive hundred & Tenn pds of Tob. to John Cray-
crost one hundred pds of Tob, to the Hon^ble^ Phillipp Calvert
Esq^r^ Three Thousand one hundred & Eleven pounds of To-
bacco, To Owen Newen ffive Thousand pds of Tob, To Tho: Pue
Eight Thousand pounds of Tob, To James Smallwood seaven
hundred & ffifty pounds of Tob. To ffrancis Everard Three
hundred pds of Tob. To dan^ll^ ffirst Two hundred & fforty
pounds of Tob. to Ambrose Hall Two hundred & fforty pds
of Tob. To James Tourner Two hundred & fforty pounds of
Tob, to Xphor Powell Two hundred & fforty pds of Tob, to
Hen: Taylor Two hundred & fforty pds of Tob. to Hugh Wil-
liams Two hundred and fforty pds of Tob. to John Paddison
Two hundred & fforty pds of Tob. to Tho: Grumbell Two
hundred & fforty pds of Tob, to Serj^t^ Will^m^ Sealy Three hun-
dred pds of Tob, to W^m^ Pryor Seaventy pds of Tob, to W^m^
Roberts Two hundred & fforty pds of Tob. to Humphrey Ed-
wards Two hundred & fforty pds of Tob, to Evan Hewes Two
hundred & fforty pds of Tob, to Rich^d^ dodstone Two hundred
& fforty pds of Tob, to Robert Smallpage Two hundred &
fforty pds of Tobacco, to Mathusalem Stone Two hundred &
fforty pds of Tob, to Joseph Gray, Two hundred & fforty pds
of Tob, to Charles Hodgett Two hundred & fforty pds of Tob.
to Tho: Todd Two hundred & fforty pds of Tob, to Hen:
Belsher Serj^t^ ffour hundred pds of Tob, to W^m^ Randford Cor-
porall ffour hundred pds of Tob, to Nich: Bayley Three hun-
dred pds of Tob, to Abraham Parker Three hundred pds of
Tob. to James Greene Three hundred pds of Tob, to Rob^t^
Glew Three hundred pds of Tob, to Charles Bayley Three
hundred pds of Tob, to John Paddison Three hundred pds of
Tob, to Xpher Powell Three hundred pds of Tob, To Rob^t^ p. 199

Liber W. H. Blews Three hundred pds of Tob, to James Cox Sergeant ffour hundred pds of Tob. to Tho: Bright Corporall ffour hundred pds of Tob. to Robert Powell Two hundred & Eighty pds of Tob. to Phillipp Jones Two hundred & Eighty pounds of Tob. to W^m^ Harbert two hundred & Eighty pds of Tob. to John Bennett Two hundred & Eighty pds of Tob, to Robert Parker Two hundred & Eighty pds of Tob, to W^m^ Laws Two Hundred & Eighty pds of Tob. to Geo: Gloace Two hundred & Eighty pds of Tob, to Roger Evans Two hundred & Eighty pds of Tob. To W^m^ Browne Serj^t^ one hundred Thirty Three pds of Tob, to Randall Devenport one hundred & Tenn pds of Tob, to Will^m^ ffillmore one hundred & Tenn pds of Tob, to Phillipp Jones one hundred & Tenn pds of Tob, to Steph: Morris one hundred & Tenn pds of Tob, to John Cherald one hundred & Tenn pds of Tob, to John Stacy one hundred & Tenn pds of Tob, to ffrancis Hutton one hundred & Tenn pds of Tob, to John Wilkinson one hundred & Tenn pds of Tob, to John Whitehead one hundred & Tenn pds of Tob, to Hugh Wilding one hundred & Tenn pds of Tob, to James Simonds one hundred & Tenn pds of Tob. to Tho: Bright one hundred & Tenn pds of Tob, to Jeremiah Woods one hundred & Tenn pds of Tob, to John Tremance one hundred & Tenn pds of Tob, to Robert Bleke one hundred & Tenn pds of Tob, to M^r^ Edward Pye one hundred pds of Tob, to Tho: Mitchell fforty pds of Tob. to Ralph Shawe Sixty pds of Tob, to M^r^ Edward Pye one Thousand Twenty one pds of Tob, to Nath^ll^ Smith ffour hundred pds of Tob, to Evan Hewes Thirty pds of Tob, to Tho: Hussey Eighty pounds of Tob, to Henry Hawkins fforty pds of Tob, to Geo: Powell Twenty pds. of Tob, to Coll W^m^ Chandler one hundred & Eighty pds of Tob, to Phillipp Lynes one hundred & Eighty pds of Tob, to ffrancis Goodrick Twenty pds of Tob. to James Smallwood Twenty pds of Tob, to James Littlepage one hundred & Thirty pds of Tob, to Tho: Wharton one hundred & Eighty ffour pds of Tob, to John Ward one hundred ffifty Two pds of Tob, to Edward Webster one hundred and Eighty pds of Tob. to Richard Clowter sixty pds of Tob. to George Athey Sixty pds of Tob, to James Ashbrooke Sixty pds of Tob, to John Stone fforty pds of Tob, to Griffith davis Thirty pds of Tob, to John Cable Ninety Six pds of Tob, to the same Thirty pds of Tob, to John Ward Sixty pds of Tob, to John Hanson Sixty pds of Tob, to John Pope ffive hundred seaventeene & one halfe pds of Tob, to Thomas Marshall one hundred & Eighty pds of Tob, to John Pembrooke Tenn pds of Tob, to John Brooke Tenn pds of Tob. to Gilbert Marsh Twenty pds of Tob, to W^m^ Penury Twenty pds of Tob, to John Powell Twenty pds of Tob, to Edward Webb Twenty pds of Tob. to John Clerke Thirty pds of Tob, to Will^m^ Ward Tenn pds. of Tob. to Hen: Hawkins

Tenn pds of Tob, to Edward Nibb Tenn pds of Tob, to James Liber W. H.
Tyre Six hundred & Thirteene & one halfe pds of Tob, to ditto
one hundred pds of Tob, to ditto Three hundred pds of Tob,
to John Paine Six hundred and Sixty pds of Tob, to Tho: Jen-
kins one hundred & Eighty pds of Tob, to John Godshall one
hundred & Eighty pds of Tob, to John Probate one hundred
pds of Tob, to Gilbert Turbervile one Thousand ffour hundred
& Eighteene pds of Tob, to Ja: Tyre one hundred & Eighty p. 200
pds of Tob, to Walter Lane Two hundred & Sixty pds of Tob,
to Edward Burton fforty pds of Tob, to W^m^ Chesheire fforty
pds of Tob, to John Tonge fforty pds of Tob, to Roger Mer-
edith fforty pds of Tob, to Edw^d^ Beetenson fforty pds of Tob,
to Joshua dine Six hundred & sixty pds of Tob, to Cap^t^ Ninion
Beale Tenn Thousand ffour hundred pds of Tob, to Walter
Evans ffour Thousand Eight hundred pds of Tob, to Rob^t^
Stonly ffour Thousand Eight hundred pds of Tob, to Tho:
Kenstone ffour Thousand Eight hundred pds of Tob, to
Samuell Magruther ffour Thousand Eight hundred pds of
Tob, to Tho: Ellis ffour Thousand Eight hundred pds of Tob,
to Rowland Lawrence ffour Thousand Eight hundred pds of
Tob, to Cap^t^ Henry Johnson Eighty Six & Two Thirds of a
pound of Tob, to Robert Jones fforty pds of Tob, to Lawrence
Taylor fforty pds of Tob, to James Phillipps fforty pds of Tob,
to Christopher Johnson fforty pds of Tob, to Mich: Gibson
fforty pounds of Tob, to John Mould Twenty pds of Tob, to W^m^
Asborne Twenty pounds of Tob, to Marke Richardson Twenty
pds of Tob, to Sam^ll^ Browne one hundred pds of Tob, to John
Tyler Twenty pds of Tob, to James Collier Twenty pds of
Tob, to Serj^t^ W^m^ Yorke Twenty Three & one Third pd of
Tob, to Tho: Prestone Cornett Sixty pds of Tob. to John
Wright Twenty pds of Tob, to Robert Gibson Twenty pds of
Tob, to John Tyler Twenty pds of Tob, to Serj^t^ dockings
Twenty six & Two Thirds pds of Tob, To ffrancis ffoye Tenn
pds of Tob, to Rob^t^ Jones Tenn pds of Tob, to Tho: Cord
Tenn pds of Tob, to John ffisher Tenn pds of Tob, to Alex:
Wollis Tenn pds of Tob, to Robert Druett Tenn pds of Tob,
to Mich: Gibson Tenn pds of Tob, to Roger Mothers Tenn
pds of Tob, to Adam Bushell Tenn pds of Tob. to John Melton
Tenn pds of Tob. to Lewis Burton Tenn pds of Tob, to John
Miles Tenn pds of Tob, to Walter Woodfeild Tenn pds of Tob,
to Ensigne James Denton Twenty pds of Tob. to Hen: Law-
rence Tenn pds of Tob, to W^m^ Westbury Tenn pds of Tob, to
W^m^ Horne Tenn pds of Tob, to Geo: Hooper Tenn pds of
Tob, to James Mills Tenn pds of Tob, to John Hollis Tenn
pds of Tob, to John King Quarter master fforty six & Two
Thirds pounds of Tob, to Andrew Whittington fforty pds of
Tob. to Tho: Manloe fforty pds of Tob. to Mich: Gray fforty
pds of Tob, to Rob^t^ Catelyne Jun^r^ fforty pds of Tob, to John

Liber W. H. Harris fforty pds of Tob, to Rand[ll] Revell Jun[r] fforty pds of Tob, to Cap[t] Henry Smith one hundred & Thirty pds of Tob, to Andrew Whittington Sixty pds of Tob, to John Mallett fforty pds of Tob, to Thomas Grunwin one hundred fforty six pds of Tob, to Cap[t] Richard Hill Three Thousand Two hundred & ffifty pds of Tob, to ditto Hill Three hundred & ffifty pds of Tob, to ditto Hill Seaven hundred pds of Tob, to ditto Hill & Rob[t] Claxon ffive Thousand pds of Tob, to W[m] Taylor Twelve hundred pds of Tob, to John Wheeler Three hundred & sixty pds of Tob, to Tho: Jones Seaventy pds of Tob, to
p. 201 Hen: Belsher Serj[t] ffour hundred pds of Tob, to W[m] Randford Corporall ffour hundred pds of Tob, to Nich: Baily Three hundred pds of Tob, to Abraham Parker Three hundred pds of Tob, to James Greene Three hundred pds of Tob, to Robert Glewe Three hundred pds of Tob, to Charles Bayly Three Hundred pds of Tobacco to John Paddison Three hundred pds of Tob, to Robert Blades Three hundred pds of Tob, to Christopher Shadwell Three hundred pds of Tob, to W[m] Barton Three hundred & Twenty pds of Tob, to John Richardson Three Thousand pds of Tob, to Cap[t] John Osborne one Thousand pds of Tob, to Augustine Herman ffour hundred pounds of Tob, to Christopher Nutter Six hundred & fforty pds of Tob, to John Townsend one hundred pds of Tob, to John Saxon Three Thousand pds of Tob, to Tho: Casey ffifteene hundred pds of Tob, to Cap[t] John Winder Eighty Six & Two Thirds pds of Tob, to Andrew Jones Cornett Sixty pds of Tob, to Edward day Liveten[t] Thirty Three & one Third of a pound of Tob, to Geo: Betts Quartermaster Twenty Three & one Third of a pound of Tob, to W[m] Gyles Trumpiter Twenty Three & one Third of a pound of Tob, to Jeremiah Hooke Corporall fforty Six & Two Thirds of a pound of Tob, to Richard Kembell Corporall Twenty Three & one Third of a pound of Tob, to Richard Crockett Corporall Twenty Three & one Third of a pound of Tob, to Alex: Humphreys Twenty pds of Tob, to John Painter Twenty pds of Tob, to John Evans Twenty pounds of Tob, to Xpher Nutter fforty pds of Tob, to W[m] Brereton fforty pds of Tob, to Chr: Snowhill Twenty pounds of Tob, to Peter Clowdy Twenty pds of Tob, to W[m] Cave Twenty pds of Tob, to James Dasheile Twenty pds of Tob, to W[m] Elgate Sen[r] Twenty pds of Tob, to Nehemiah Covinghton Twenty pds of Tob, to W[m] Walker fforty pds of Tob, to John Holland Twenty pds of Tob, to W[m] Wright Twenty pds of Tob, to John Smith Twenty pds of Tob, to Arnold Elzey fforty pds of Tob, to W[m] Jones Jun[r] Twenty pds of Tob, to W[m] Robinson Twenty pds of Tob, to Mathew Dorman fforty pds of Tob, to Tho: Cox Twenty pds of Tob, to John Connaway twenty pds of Tob, to Sam[ll] Jackson Twenty pounds of Tob, to John Paramore

Twenty pounds of Tob, to Edward Gibbs Twenty pds of Liber W. H.
Tob, to Geo: Mitchell Twenty pds of Tob, to Owen Marrah
Twenty pds of Tob, to Tho: Holbrooke Twenty pds of Tob, to
Ben: Cotten Twenty pds of Tob, to John Covinghton Twenty
pds of Tob, to W^m^ Steevens Twenty pds of Tobacco, to Rich^d^
Steevens Twenty pds of Tob, To Cap^t^ John Winder Eighty
Six & Two Thirds of a pound of Tob, to And: Jones Cornett
one hundred & Twenty pds of Tob, to Edw^d^ Day Liveten^t^
Sixty Six & Two Thirds of a pound of Tob, to Jeremiah
Hooke Corporall fforty six & Two Thirds of a pound of Tob,
to Rich^d^ Kembell Corporall fforty six & Two Thirds of a
pound of Tob, To W^m^ Gyles Trumpeter Seaventy pds of Tob,
to Christopher Nutter fforty pds of Tob, to John Evans fforty
pds of Tob, to James Dasheile Jun^r^ fforty pds of Tob, to Sam^ll^
Jackson fforty pds of Tob, to John Paramore fforty pds of Tob,
to John Conaway fforty pds of Tob, to W^m^ Elgate Sen^r^ fforty
pds of Tob, to Will^m^ Cave fforty pds of Tob, to Daniell Haste
fforty pounds of Tob, To Tho: Humphreys fforty pds of Tob, p. 202
to W^m^ Brereton Twenty pounds of Tob, to Isaac Noble fforty
pds of Tob, to W^m^ Robinson fforty pds of Tob, to John Hol-
land fforty pds of Tob, to Tho: Winder Sixty pds of Tob, to
John Williams fforty pds of Tob, to Cap^t^ John Winder Twenty
pds of Tob, to Tho: Humphreys Twenty pds of Tob, to W^m^
Cave Twenty pds of Tob, to Jer: Hooke Twenty pds of Tob,
to John Moratt fforty pds of Tob, to To Tho: Gylley fforty pds
of Tob, to Rich^d^ Ackworth Sixty pds of Tob, to John Smith
Sixty pds of Tob, to W^m^ Gyles fforty pds of Tob, to Sam^ll^ Jack-
son fforty pds of Tob, to W^m^ Longstone Twenty pds of Tob,
to Edw^d^ Bennett Twenty pds of Tob, to John Parramore
Twenty pds of Tob, to John Moore Twenty pds of Tob, to
John Baker Eighteene Thousand Eight hundred Sixty Eight
pds of Tob, to Garrett Vanswearinghen Thirty ffour Thousand
ffifty Three pds of Tob, to Hester Cordea Six Thousand Six
hundred Ninety Two pds of Tob, to ffran: Catterson ffour
Thousand ffour hundred & Twenty pds of Tob, to Joseph
Norwood one hundred & Twenty pds of Tob, to Abraham
Child one hundred & Twenty pds of Tob, to Henry Exon
Seaventeene Thousand Three hundred Eighty Eight & a halfe
pds of Tob, to Coll Philimon Lloyd Seaven hundred Eighty
ffour pds of Tob, to M^r^ Henry Adams Two Thousand Six hun-
dred pds of Tob, To M^r^ Tho: Burford Two Thousand six hun-
dred pds of Tob, to John Baker Three hundred Sixty ffive
pds of Tob, to Hester Cordea Eleven hundred & Sixty pds of
Tob, to Dan^ll^ Clocker Seaven hundred & ffifty pds of Tob, to
Hen: Exon Two hundred Twenty ffour pds of Tob, to Coll
Philemon Lloyd fforty seaven thousand ffour hundred Thirty
Six pds of Tob, to Coll Henry Coursey fforty Seaven Thou-
sand ffour hundred Thirty six pds of Tob, to the Right Hon^ble^

Liber W. H. the Lord Propry one hundred Thousand pds of Tob, to Tho: Clarke Two hundred & fforty pds of Tob, to Henry Exon Six Thousand Nine hundred Twenty Two pds of Tob, to Garrett Vansweringhen Twelve Thousand ffive hundred Ninety one pounds of Tob, to ffrancis Catterson ffourteene hundred & Thirty pds of Tob, to Hester Cordea Two Thousand ffour hundred fforty Nine pds of Tob, to John Baker Eight Thousand ffour hundred Eighty Seaven pds of Tob, to Major Wm Boreman ffour hundred pds of Tob, to John Lewellin Seaven Thousand pds of Tob, to Tho: Grunwin ffour Thousand pds of Tob, to Tho: Bland ffour Thousand pds of Tob, to John Blomfeild Three Thousand pds of Tob. to Charles Boteler ffour Thousand pds of Tob, to John Saxon Eight hundred pds of Tob, to Joseph Norwood Eight hundred pds of Tob, to Wm Wherritt ffour Thousand pds of Tob, to Dr James Eustace Two Thousand ffour hundred & Sixteene pds of Tob, And to the severall Shreiffes in this Province for theire Sallary of Collecting ffifty one Thousand Six hundred Ninety Seaven pds of
p. 203 Tob. in the whole sume of ffive hundred & Sixty Eight Thousand Six hundred Sixty Nine pounds of Tobacco, And bee itt further enacted by the Advice Consent & Authority aforesaid, that the aforesaid sumes of Tobacco, Amounting in the whole to the sume of ffive hundred ffifty Eight Thousand Six hundred Sixty Nine pds of Tob, bee Levied & Assessed by an equall Assessmt vpon the persons & Estates of the Inhabitants of this Province, & bee paid to the several psons to whom the same is due, according to the accots disbursemts & neccessary Charges of this Province, which have been examined stated & allowed by the vpper & Lower houses of this prsent Genll Assembly, any Law Statute vseage or Custome to the Contrary thereof in any wise Notwithstanding.

Private acts made this Assembly

An Act for the Naturalizacon of Wm Blankenstein of St Marys County.

An Act for the Naturalizacon of Rowld Nans of Baltemore County.

And therefore Wee Comand thee that all these Laws & every article & thing in them Contained att the County Court or in any other place of yor County where you shall thinke fitt, you cause to bee published & proclaimed & firmely to bee kept, Witnesse ourselfe, Given att St Marys the 17th day of Novembr in the 7th yeare of our dominion &c. Annoq. dom. 1682

P: Calvert Canc.

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a sessions held at the Ridge in Ann Arundel County, October 2–November 6, 1683.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE UPPER HOUSE OF ASSEMBLY.

Journal of the Upper house of Assembly held at the house of John Larkin at the Ridge in Ann Arundell County the Second Day of October Annoq. Domini 1683

At an Assembly Called by Proclamation to Sitt on this Day being the Second Day of October at the house of John Larkin at the Ridge in Ann Arundell County (after Severall Prorogations thereof formerly Made) at which Said Second Day of October in the Eighth Year of the Dominion of the Right Honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. Annoq. Domini 1683, The Said Assembly mett and Sat at the house of John Larkin aforesaid where then appeared in the Upper House

The Right Honourable the Lord Proprietary

The honourable

Coll. Henry Coursey	Coll William Burgess
Coll. Henry Darnall	Major Nicholas Sewall
Coll William Stevens	Mr. John Darnall

The Members of the Lower house were called to the Upper house being the Room over the Court Room where his Lordship the Lord Proprietary Declares to them to the effect following—

His Lordship further Declares to them that he had by Commission Constituted Major Charles Boteler their Clerk of the Lower house, The Members of the Lower house Depart

p. 489

And this Adjourned till to Morrow Morning Nine of the Clock

Wednesday 3 October 1683.

The house mett again and present as before—

Then was Thomas Grunwin Sworn Clark of the Upper house of Assembly which Oath follows in these Words Viz^{t}—

U. H. Journal 1659–98

You shall Swear to be a true and faithfull Servant to the Right Honourable the Lord Proprietary of this Province as Clerk of the Upper house of Assembly; You shall keep Secret all Matters Committed or Revealed unto you or treated of and Debated in the said house you shall truely and faithfully according to the best of your skill and knowledge make true and Just Entries and Records of all Matters and proceedings in the said house, and in all other things you shall do and Act as a true Servant to his said Lordship and his Upper house of Assembly—

So help You God

Mr Secretary Darnall sent to the Lower house of Assembly with a Draught of an Oath for the Clerk of the Lower house of Assembly which hereafter followeth, He returns having Delivered the same

Mr Thomas Burford Comes to this house with Major Boteler who before this house took the Oath of Clerk of the Lower house as penned by the Upper house Vizt

You shall swear that you will faithfully serve the Right Honourable the Lord Proprietary and the Lower house of Assembly in the Office of Clerk of the said house during your Continuance in the said Office, and that you will faithfully and truely to the best of your skill Cunning and knowledge, Enter and Record the Orders Rules and proceedings of the said house, and that you will not Divulge or Discover the Debates and Secrets of the said house without the Consent thereof—

So help you God

Mr Burford and Major Butler the aforesaid Clerk Depart and leave the said Oath to be Recorded in this house The same afterwards sent to the Lower house by Mr Secretary Darnall who returns having Delivered the same

Mr Clement Hill from the Lower house and desires the Book of Laws, Mr Secretary Sewall sent to the Secretarys Office for the same he returns and Says he has Delivered the same to the Lower house—

Mr Hatton and Captain Smith from the Lower house with this Ensuing Message Vizt

Lower house of Assembly 3d October 1683—

p. 490

This house having taken into their Serious Consideration that part of his Lordships Speech made to this house Yesterday relating to the Bringing in of Money into this Province for the Advancing the Trade thereof, have Deliberately

Debated the Same, and shall be willing to join with his Lordship and Upper house in any ways & Means that may be thought requisite for the Promoting so great a Good, but having before them the Matter of Towns so earnestly Recommended to them by his Lordship this house cannot as yet come to any Result thereabouts U. H. Journal 1659–98

And therefore this house doth humbly desire his Lordship and upper house will be pleased to propose to this house what Rule or Method Act or thing his Lordship and Upper house Conceive Necessary to be done which may best ConDuce to the procuring of Money and Advancement of Trade to the Effecting whereof the Consent and Concurrence of this house is desired

And thereupon this house shall readily reassume their Debate thereof

Signd p Order C Boteler Cl of the Lower house.

The said Message taken into Debate and Ordered this Ensuing Message be Sent in Answer thereunto Viz[t]

Upper house 3 October 1683

In Answer to the Message of this Day Received from the Lower house by M[r] Hatton and Captain Smith, this house do say that knowing the Substance thereof to be of very great Concern to this Province and the Commerce and Trade thereof, Do desire that the Lower house would Appoint Members of their house to Join with Members of this house as a Committee to Consider and Consult the matter Contained in the said Message, and to report the method and way which by them shall be Agreed on to the Consideration of both houses

Signed p. Order Thomas Grunwin Cl of Assembly

The said Message sent to the Lower house per Coll Burges and M[r] Secretary Sewall who return and say the have they have delivered the same

The house Adjourned till to Morrow Morning Nine of the Clock

Thursday 4th October 1683

The house mett present as before and Coll Vincent Lowe

John Larkin and Richard Boughton sent for by the Door keeper to appear before this house about the Court house here in Ann Arundell County which fell Down They Appeared and Ordered that the Clerk of the said County Cap[t] Hauslop bring before this house the Agreement (or the Record of it) made about Building the same

U. H. Journal 1659–98

Mr Thomas Burford Attorney Generall and Mr John Rousby from the Lower house with this Message Vizt—

Lower house of Assembly 4th October 1683

This house have Appointed Captain Henry Smith and Mr Henry Hosier to Join with the Members of the Upper house to Consider and Consult the Matter Contained in the Message sent to the Upper house yesterday by Mr Hatton & Captain Smith about bringing in of Money into this Province—

Signed p. Order C Boteler Cl of the Lower house

The said Attorney Generall and Mr Rousby also desire the
p. 491 Ordinance of his Lordship for Electing Burgesses &c. The same sent down to the Lower house by the Secretarys Mr Sewall and Mr Darnall who return and say the have Delivered the same and that the Lower house will peruse it

Coll Lowe and Coll Stevens Appointed by this house to Join with Captain Smith and Mr Hosier Members of the Lower house as a Committee of both houses to Consider of the Method for Bringing in Money into this Province and the said Coll Lowe and Coll Stevens sent to the Lower house with this Message Vizt—

Upper house 4th October 1683

This house have Appointed Coll Vincent Lowe and Coll William Stevens Members of this house to join with Captain Smith and Mr Hosier Members of the Lower house as a Committee of Both houses to Consult the Bringing in of Money into this Province—

Signed p. Order Tho: Grunwin Cl of Assembly

The said Coll Lowe and Coll Stevens go therewith and with Order to acquaint the Lower house that they are ready forthwith to go upon the said Committee They return and go out upon the said Committee

Mr Clement Hill and Mr William Hatton from the Lower house & desire the Bill last Assembly sent by the Lower house to the upper house for Electing and Summoning Burgesses &c. They return the same sent to the Lower house p. Mr Secretary Sewall—

Captain Hauslop Cl of Ann Arundell County Court according to the Order of this house brings the Record Book of the said County and the Agreement Concerning the Court house of the said County read the said Clerk goes out with the said Book.

Mr Robert Carvile and Captain Osborne from the Lower house with a Copy of a Vote of the Upper house in November 1682 Vizt

Upper house 14 November 1682 U. H. Journal 1659–98

As to the Bill for Electing and Summoning Burgesses &c. this house will also Consider that when the Bill for Advancement of Trade is reassumed—

Signed per Order John Lewellin Cl of Assembly

They also bring this Message

Lower house of Assembly 4th October 1683

Then was taken into Debate the Report of the Committee of Priviledges & Elections Concerning Mr Miles Gibson and Voted that the said Miles Gibson by Reason of the Office of Sheriff Conferred upon him is made incapable of sitting in this house as a Member thereof—

Signed p. Order C Boteler Cl of the Lower house

Mr Secretary Sewall Sent down to the Lower house for his Lordships Ordinance for Electing and Summoning Burgesses, he returns with the same.

Mr Secretary Sewall Sent to the Lower house with this Message in Answer of the last from that house Concerning Mr Gibson Vizt

Upper house 4th October 1683

This house finding that Mr Miles Gibson one of the Delegates for Baltimore County is by the Lower house Voted incapable of Sitting as a Member of that House by reason of his being Sheriff of the said County (Though formerly Captain Richard Ladd and Captain Jonathan Sybrey were admitted to sit as Delegates when at the same time they were Sheriffs) this house rather than the present affairs should receive any Obstruction have thought fitt to move his Lordship that Orders may be Given to the Secretarys for the issuing out a Writt for the Electing another Delegate in Baltimore County which is accordingly Ordered to be done the which had bin sooner performed by the Secretaries if Notice had bin given them according to the Tenour of the Ordinance for Convention of Assemblies of any such want p. 492

Mr Secretary Sewall returns he having Delivered the said Message

The house Adjourned till to Morrow Morning 8 a Clock

Friday 5th October 1683

The house mett again present as before & Coll William Digges

U. H. Journal 1659–98

Then Came Mr Frisby and Captain Johnson from the Lower house and Desired the Ordinance Concerning Electing Burgesses, they return and the Same Sent by Mr Secretary Darnall who returns having Delivered the same to the Lower house

Coll Stevens goes to the Lower house to know whether they have any thing further for this house to Night if not this house will Adjourn; He returns and Says the Lower house will send to this house immediately

Mr Rousby and Captain Peirce from the Lower house with his Lordships Ordinance for Electing Burgesses, And a Bill directing the manner of Electing & Summoning Burgesses Delegates and Representatives to Serve in Succeeding Assemblies, And this Message

Lower house of Assembly October the 5th 1683

This house having Considered of a Vote of the Upper house made the last Sessions of Assembly the 7th of November 1682 and Sent yesterday to this house as also his Lordships Instrument under the great Seal there with sent Cannot Concurr with the Upper house therein for these reasons—

1st For that the best and Surest foundation whereon the Peace of the Province Depends is in the making Good and wholesome Laws for the Well Governmt thereof which Laws cannot be made without the Consent of the Freemen of this Province by their Deputies Delegates or Representatives in Generall Assembly Assembled, and Since hitherto the form of Assembling the said Freemen their Delegates and Deputies hath been altogether Divers and uncertain, This house Conceive that no better way can be used in this particular for the Settling the Minds of the Freemen and reducing a Matter of this Moment to a Certainty for the future, then to Establish the manner of Electing and Summoning of Burgesses Delegates and Representatives to Serve in Succeeding Assemblies by an Act to be assented to by his Lordship and both houses of Assembly which without their Consent in Assembly may not be Altered or repealed—

And although all due honour and regard ought to be had to his Lordships Ordinances, and Proclamations yet this house
p. 493 Conceives this present Ordinance Not so Obligatory to his Lordship his heirs or Successors but that the manner & form of Electing Burgesses &c: therein prescribed may be Altered and Abrogated at his and their Wills and pleasures and thereby the same incertainty still remains

2d In the Writt in the same Ordinance recited (it is said) as to the Sheriff you shall give Authority to each of them) meaning the Delegates &c: by two Severall Indentures &t which seems

to make the power Consent &t in the Delegates Burgesses &t Derivative from the Sheriff Whereas their power to do and Consent in the Assembly is only from the freemen by their Delegation made by Virtue of such his Lordships Writt— U. H. Journal 1659–98

3d It is said in the said Ordinance in case any of the Persons so Elected dye or go out of the Province or be otherwise Disabled to Sitt or Vote &t upon Notice given from the Commissioners of the Peace or the Sheriff or the Surviving Deputy or Delegate, to the Secretary or other Officer &t New Writts shall issue for the supply of the Vacancy of such Person Dead gone out of the Province or otherwise Disabled to Sitt or Vote &t

This house conceives in the first place That such Notice may be Neglected or if given not Sufficient to Disable such person not Dead from being and Continuing a Member of Assembly None being more proper Judges of the Disability of such Member of Assembly then the house it self. Besides as the Commerce of Our Province depends much upon a Dayly Correspondency with Our Neighbours of Virginia, New York, Pensilvania &t a person Member of this house may have Occasion to go about his Necessary affairs in the Intervall of Assemblies, & be Absent at the Sitting of Assembly yet ought not for that cause only to be removed from being a Member of Assembly or to sitt or Vote there when he comes there again

Therefore this house have prepared a Bill for the Electing and Summoning of Burgesses &c. herewith sent and passed this house, to which they desire the Assent of his Lordship and Upper house—

Signed p. Order C Boteler Cl of the Lower house of Assembly.

The Debate of the aforesaid Message referred.

And the house Adjourned till to Morrow Morning 9 a Clock.

Saturday 6th October 1683 the house mett again

Present

The honourable

Coll Henry Coursey, Coll Vincent Lowe, Coll Henry Darnall } Coll William Stevens, Mr Secretary Darnall

Then Came Captain Richard Hill and Mr Leonard Green from the Lower house with this Ensuing Message Vizt

Lower house of Assembly 6th October 1683

This house understanding that Jacob Young who was the last Sessions of Assembly Impeached by this house, is now

U. H. Journal 1659–98 brought up by the Sheriff of S[t] Maries County in Order to the receiving his Tryall at the Barr of the Upper house doth desire to know of the Honourable the Upper house, whether the matter upon the said Impeachment be at such issue That he
p. 494 may receive his Tryall this Present Sessions, and if so; That they would be pleased to Transmitt the Papers relating to the said Impeachment to this house and appoint a Day when this house shall attend their honours by some Members of this house to Manage and prosecute the said Impeachment against the said Jacob Young—

Signed p. Order C Boteler Cl of the Lower house—

M[r] Hall and M[r] Hosier from the Lower house with this Message Viz[t]

Lower house of Assembly 6th October 1683

This house desire the Upper house to give Instructions to the Members of their house appointed for a Committee to Consult the bringing in of Money into this Province for drawing up a Bill for that Purpose this house having Given the Like Instructions to their Members which are to Join with them

Signed p Order C Boteler Cl of the Lower house

Whereas this house is informed that Jacob Young hath here in Larkins house Two persons by name Robert Some and Michael Frank which are Witnesses for him in the Matter of his Impeachment; It is Ordered that the said Some & Franck appear before this house this afternoon and that the door keeper of this house give them Notice thereof;

Coll Stevens sent to the Lower house with Answer to that of the Lower house Concerning Jacob Youngs Tryall as followeth

Upper house 6th October 1683

For Answer to the Message this Day received from the Lower house by Cap[t] Hill and M[r] Hosier, this house do say that they conceive the Impeachment of Jacob Young is now upon issue, And have thereupon Voted that the said Jacob Young come to his Tryall before this house on Monday next And do desire that the Members of the Lower house Appointed or to be Appointed to prosecute the said Impeachment will be ready for that purpose before this house on Monday next being the Eighth Day of present October, And have herewith sent the Journal of the Committee last Assembly for the Impeachment of the said Young; The Articles and Answer are in the hands of the Attorney General, the said Coll Stevens Carries with

him the Journall of the Committee aforesaid; he returns and says he has Delivered the same together with the Message aforesaid— U. H. Journal 1659–98

Then Appeared Robert Soames and Michael Franck according to Order of this house, And they were then Ordered and Commanded by this house to attend here at Larkins house untill the tryall of Jacob Young be over, unless they shall be sooner Discharged by Order of this house—

The house Adjourned till Monday Morning 9 a Clock

Monday 8th October 1683 The house mett again

Present

The Right Honble the Lord Proprietary

The honourable

Coll Henry Coursey, Coll William Digges
Coll Vincent Lowe, Mr Secretary Sewall
Coll Henry Darnall, Mr Secretary Darnall
Coll William Stevens

Then came from the Lower house Captain Hill and Captain Johnson with the following Message— p. 495

Lower house of Assembly 6th October 1683—

This house conceives that by reason some Members of this house which were Appointed the last Sessions to Manage the Impeachment against Jacob Young are not present in this house so that there is a Necessity of Appointing other Members in their Roome, who are not as yet Sufficiently prepared with the Matter in the said Impeachment, Therefore this house desire that further time may be given for the Members of this house now appointed to Manage the Impeachment aforesaid to prepare themselves for the same and that Tuesday next being the Ninth Day of this present October may be the Day of Tryall, and that Jacob Young may have Notice thereof to Answer accordingly

Signed p. Order C Boteler Cl of the Lower house.

The Answer thereunto Sent by Mr Secretary Sewall as foll—

Upper house 8th October 1683.

This house do Concurr with the desire of the Lower house concerning the Bringing of Jacob Young to Tryall and that to Morrow being the Ninth Instant be the Day of Tryall and shall give Jacob Young Notice accordingly

Signed p. Order Tho: Grunwin Cl of Assembly

U. H. Journal 1659–98

Ordered that Coll Darnall give Notice to Cap^{t} Joshua Doyne high Sheriff of S^{t} Maries County that to Morrow being the Ninth Instant is the Day prefixed for the Tryall of Jacob Young, and that the Sheriff is Commanded to give Jacob Young Notice of the same accordingly

Then came Joseph Spernon and presented to this house this fol. Petition Viz^{t}

To the Right Honble the Lord Proprietary and the Honourable the Upper house of Assembly

The Humble Petition of Joseph Spernon

Humbly Sheweth

That one M^{r} John Rousby one of the Members of the Lower house of Assembly Obtained a Judgment against your Petitioner last february was Twelve Month for 6000 ^{li} of Tobacco Damages and Cost of Suit for Conveying away his two Servants Simon Steins and Christopher Buttler which Judgment was altogether unjustly Obtained as your Petitioner is ready and willing to make appear before this honourable house, and by false Suggestions and Indirect means of the said John Rousby your Petitioner is wholly ruined and forced to flye the Country, he humbly prayeth that he may be relieved by Your Lordship & Upper house of Assembly as by your Lordship and their honours shall seem most Meet—

And he shall ever pray &c.

Then Came Simon Steyns one of the Servants of the said John Rousby that run away as aforesaid and made Oath as followeth (Viz^{t})

The Deposition of Simon Steines Aged thirty years or thereabouts sworn Deposeth upon the holy Evangelists, That Christopher Butler and your Deponent was at the house of William Price in Elk River and Joseph Spernon Then Con-
p. 496 stable came to the said Prices house, and Examining your Deponents and the said Butler, thought fitt to take us up for Runaways, and Carryed us Home to the said Spernons house and being too late that night to carry us before any Magistrate; the next Morning the said Spernon went abroad and your Depon^{t} and the said Christopher believing the said Spernon was gone to fetch help to Carry us before a Magistrate took the Opportunity and run away from the said Spernons house and went back to the said Prices house and staying there an hour or two Espyed Spernon & One or two with him upon which your Deponent and the said Butler immediately run away and made their Escapes to Deleware falls. But when Your Deponent came to the house of Price as aforesaid

the Second time Price Examining Your Deponent and the said Christopher how they Came off with Spernon Your Deponent and the said Buttler told Price that they had bin before a Magistrate and Cleared themselve and your Deponent never acknowledged to Spernon that he was a Servant U. H. Journal 1659–98

The Mark of × Simon Steynes

Sworn before us the
8th Day of Octo[r] 1683
Nicholas Sewall
John Darnall

There was also Sworn before the Upper house the other Servant Christo[r] Butler and Evan Carew then a Liver in Spernons house or very near there abouts and was present at Spernons house that Night the said Servants were brought thither, and went with Spernon to Prices next Morning to see for them again, and the said Butler and Carew made oath to the same thing and to the same Effect of the Oath of the aforesaid Steins

The house Adjourned till after Dinner

Then Sate again present as before and Major Thomas Trueman

Major Sewall goes to the Lower house for a List of the names of the Witnesses against Jacob Young which are Contained in the Committee Journall last Assembly of the Impeachment of Jacob Young—

He returnes and Says the Lower house will Send the Same.

M[r] Clement Hill and Doctor Brooks from the Lower house with this Message about the said Witnesses—

At the Committee about Jacob Young October the 8th 1683 This Committee find Garrett Vansweringen a very Material Evidence in this matter who is not here and desire he may be Sent for—

That Joshua Doyne Thomas Pew and John Higdon are also Witnesses and are here; and the Committee think it need full to order their Attendance and Stay till the Tryall be Over, The other living Evidences are Members of the Upper and Lower houses to Witt Coll Coursey Coll LLoyd Richard Hall Richard Hill and Francis Hutchins whose Testimony at the Tryall is necessary

The paper Evidence, The treaty with the Indians, when Coll Coursey went, and when Coll Coursey & Coll LLoyd went, Youngs Confession to his Lordship and the Journall of the proceedings when Coll Stevens & Coll Coursey which the Committee desires the perusall of p. 497

Lower house of Assembly October the 8th 1683
This house desire the Upper house to take Order accordingly
Signed p. Order C Boteler Cl of the Lower house

U. H. Journal 1659–98

This house sends in Answer thereunto by Coll Stevens as followeth

Upper house 8th October 1683.

This house understands from the Committee of the Lower house about Jacob Young that the said Committee finds Garret Vansweringen a Material Evidence against the said Young who being remote from this place It is thereupon Ordered by this house that the Tryall of the said Jacob Young be Deferred till Tuesday come Seven night being the 16th Day of this present October and by that time the said Vansweringen may be here. Summons being gone out for him already—

The house Adjourn till to Morrow Nine a Clock

Tuesday 9th October 1683 the house mett again

Present

The honourable

Coll Henry Coursey
Coll Vincent Lowe
Coll Henry Darnall
Coll William Stevens
Coll William Burges
Mr Secretary Darnall
Major Thomas Trueman

Coll Lowe and Coll Stevens go out upon the Committee about Money—

Mr Hall and Mr Hutchins from the Lower house with this Message

Lower house of Assembly 9th October 1683

This house desire to know if the Upper house have any Bills or other Matter prepared for this house, And that the Upper house please to send their Assent to the Bill for directing the manner of Electing and Summoning Burgesses &t to Serve in future Assemblies—

Signed p. Order C Boteler Cl of the Lower house

Major Thomas Trueman sent to the Lower house with this Ensuing Message in Answer to the last by Mr Hall and Mr Hutchins—

Upper house 9th October 1683

This house have no Bills yet to present to the Lower house. The Bill for Electing Burgesses &t have under Consideration, But in regard the Business of Towns is of so great concern It being that which is so earnestly Desired by the Generallity of

the Inhabitants and was the first thing Recommended to the Assembly by his Lordship, This house is in Expectation of Some Bill from the Lower house in relation thereunto, and in that and any thing else that is for the Generall Good This house will readily Concurr with the Lower house U. H. Journal 1659–98

Signed p. Order Tho: Grunwin Cl of Assembly—

The house Adjourn till to Morrow Morning 9 a Clock—

Wednesday 10th October 1683
The house mett and Satt

Present
The Right Honourable the Lord Proprietary
The honourable p. 498

Coll Henry Coursey	Coll William Burges
Coll Vincent Lowe	Mr Secretary Darnall
Coll Henry Darnall	Major Thomas Truman
Coll William Stevens	Coll George Talbot

Mr Clement Hill Mr William Hatton and Mr William Richardson from the Lower house with this Ensuing Message Vizt

Lower house 9th October 1683

This house having so readily set about the Bill for Towns so much desired by his Lordship and Upper house and the Committee of Trade Daily Employed therein and Severall Debates in this house in Order to the Expediting thereof with Resolution to perfect and Dispatch the same so fast as the weight of the matter will permitt was in hopes that the Upper house would not have kept the Bill presented by this house for directing the manner of Electing Burgesses &t so long without Vouchsafing more then such Generall Answer thereto as in the last Message but on the Contrary Seem to keep the said Bill with intent to Exact Complyance from this house to the Bill for Towns thereby rendring it Suspitious to this house That the Upper house doth not intend that fair Correspondence with this house as the present affairs require and this house earnestly desire, The ill Effect whereof would easily appear if this house for the same reasons should Delay the Bill for Towns (now under their Consideration, so much desired by the Upper house which Notwithstanding this house intends not to do Therefore hath the greater Confidence that the Upper house will not any longer Delay their Consent to the Bill for Elections &t not more desired by this house than Necessary for the future peace Quiet and Well being of this Province—

Signed p. Order C Boteler Cl of the Lower house

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The said Messengers further Deliver by word of Mouth that untill they have Answer concerning the Bill of Elections they cannot well perfect the Bill for Towns because there are some things that will have relation to both Bills—

They also bring a List of the Commissioners Names for the Managing the Business of the Towns which they present to his Lordship for his Approbation as also the places by them Nominated for Towns Ports &c: of which they desire Answer also before they can perfect the said Bill for Towns—

The places Nominated by the Lower house

In S[t] Marys County

The City of S[t] Maries 1[st]
Brittons Bay 2[d]
Between the Mouth of
Chaptico Bay & Westwood house 3[d]

In Kent County

Near the head of Shipping Creek 1
At or near Grays Inn Creek 2

In Ann Arundell County

In Ann Arundell River 1
p. 499 South River 2
Between West & Road Rivers 3
Herring Creek 4

In Calvert County

In or near Coxes Creek in the freshes of Patuxent 1
In Battle Creek in Patuxent 2
At or near Warringtown upon the Cliffs 3
At Harvey Town in Patuxent 4

In Charles County

In Wiccocomoco River in or near Hattons Point 1[st]
In Port Tobacco Creek near the Mouth 2
At Chingo Muxen 3

In Baltimore County

In Potapsco River near Humphreys Creek 1
Bush River near the Court house 2

In Talbot County

In Tread haven at or near the Mouth 1
In Kings Creek at or near the old Town Land 2
At or near Adjacent to the Town Point at Wye River Mouth 3
At or near the old Town Land in Corsica Creek 4

In Somerset County

The South Side of Wicocomoco River above Ballards Island 1
At the Mouth of Mudford Creek in Mannokin River 2
At or near Barrows Landing in Pocomoke River 3
At or near M[r] Horseys Plantation in Annamessex 4

In Dorchester County

Neare the head of fishing Creek in Little Choptank

The West Side of the North West Branch of Transquakin River at or near the fork U. H. Journal 1659–98

In Cecil County

In Woorton Creek

In Sassafras River between the Court house and that Island in Elk River at the Mouth of Captain Jones Creek

Lower house of Assembly October 9th 1683

This house do present the severall Persons and Places above mentioned for the Approbation of his Lordship and Upper house to be Commissioners and Necessary Places for Erecting of Towns in pursuance of the Bill preparing for that end—

Signed p. Order C Boteler Cl of the Lower house

Mr Francis Hutchins and Mr Osborn from the Lower house with Bill for Naturalization of John Cosins Peter Maise de Moisne and Andrew Mattson

Then was read in this house the Bill of the Lower house for Electing and Summoning Burgesses &t the first time and Ordered a Second reading in the Afternoon

Mr Adams and Major Weeks from the Lower house with Bill Entituled An Act prohibiting the Imbezelling of his Lordship the Lord Proprietarys Ordinance Arms and Ammunition the Same read the first time and Ordered a Second reading p. 500

The house Adjourned till after Dinner

Then Satt again

The Bill for Electing and Summoning Burgesses &t read the second time & Ordered to be read and fully Debated to Morrow Morning

The Bill for Naturalization of John Cosins Peter Maise de Moisne and Andrew Mattson read and Assented to by this house and carryed down to the Lower house by Coll Stevens who returns having Delivered them to the Lower house

Mr Frisby and Captain Peirce from the Lower house with this Message

Lower house of Assembly October the 10th 1683—

This house desire to know whether his Lordship and Upper house do Approve of the several Persons and Places Nominated in the Message of this house sent this Morning to be Commissionated and Appointed for the Erection of Towns whereby this house may finish the Bill relating thereto

Signed p. Order C Boteler Cl of the Lower house.

Coll Digges sent to the Lower house with this Message Ensuing

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Upper house 10th October 1683.

This house have perused a Bill brought into this house by a Member of this house and of the Committee about Money and the paper therewith about Satisfying his Lordship for his Loss which this house received and perused as or instead of a Report from the said Committee and do send the said Bill and paper to the Lower house for their first Consideration, and then this house will afterwards Consider the Same—

Signed p. Order Tho Grunwin Cl of Assembly

Mr John Rousby from the Lower house to know if this house have any thing ready at present for the Lower house

This house returns him Answer that they are preparing for them but not fully finished the same

The house Adjourned till to Morrow Morning 9 a Clock

Thursday 11th October 1683

The house mett again

Present

The honourable

Coll Henry Coursey	Coll William Burgess
Coll Vincent Lowe	Major Thomas Trueman
Coll William Stevens	Coll George Talbot

Coll Stevens goes down to the Lower house to desire that the Speaker would Admitt the Burgesses of Somersett County and Dorchester County to come up to this house in Order the Better to Ascertaine the Places for Towns in their Counties he returns having delivered the said Message—

Captain Smith from the Lower house with the Bill yesterday sent to the Lower house about Money and the Paper also and with this Verball Message that the Lower house have perused the same and sent it again to the Upper house—

p. 501 Then was taken into Debate the Bill for Electing and Summoning Burgesses &t upon the third reading and thereupon Voted that this Ensuing Message yesterday prepared be now sent to the Lower house Vizt

Upper house 10th November 1683

This house being much Surprized to see in a Message sent this Day in writing from the Lower house that because the Bill for Electing Burgesses &t has not as yet past this house there should seem any Intent in this house to Exact first a Complyance to the Bill for Towns so much desired as in the said Paper is Expressely Mentioned by his Lordship and Upper house and that from thence there should be a Suspition

this house intended not that fair Complyance which the present affairs of the Province do Necessarily require; This house for Answer do say, that as the Business of Towns was the first & principall thing recommended by his Lordship at the Opening of this Sessions so this house do hope that the Lower house will shew themselves equally Desireous and Zealous for the same and this house being fully Assured That Towns are Judged by the Lower house to be of that great Advantage and generall Good of this Province which this house is very Confident they will be found to be was the reason and no other of that Message from this house wherein it was desired the Bill for Towns might be first Dispatcht which this house have not yet received although there is now a full Week passed since the first meeting of this Assembly, and as yet not any request or desire has appeared from the Lower house of having any Members of this house to Join in Committee for that affair; all which gave this house some Apprehensions that there had not been so great a progress made by the Lower house in the Business of Towns as since appears there has been; And now that the Lower house may be Assured of all fair proceeding from this house, The Bill for Electing Burgesses &c: has bin twice read and upon a full Debate of this house on the same This house do return Answer; That though the manner of Electing Delegates and Deputies and Convention of Assemblies be already Settled by his Lordships late Ordinance yet for the better Settling the Minds of all the good People of this Province in that particular; This house is willing and ready to Join with the Lower house in a Bill for Ascertaining what is already Contained in the said Ordinance with this Alteration in the Indentures That the Delegates are to have their power from the Electors, And that this to be further Added that upon any Neglect of Notice to be given of the want of any Delegates or Deputies in the Said Ordinance is directed that then the Speaker of the Lower house may have Liberty to Certify such want to the Secretarys for the time being who thereupon shall cause Writt to issue out accordingly, and this will Sufficiently Quiet and Settle the Minds of all Persons in that Affair as this house is well assured

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Signed p Order Thomas Grunwin Cl of Assembly

The said Message sent to the Lower house by Coll Burgess Major Trueman and M^r^ Secretary Darnall who returne having Delivered the Same—

Captain Hill and M^r^ Ennalls from the Lower house, and desire his Lordships Ordinance concerning Election of Burgesses &c and bring this Message

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Lower house of Assembly 11th October 1683

This house desires if the Bill for Elections be rejected in the Upper house as by the last Message by Major Trueman Mr John Darnall and Coll Burges seemes to be that the Upper house will return the said Bill to this house

p. 502

Signed p. Order C Boteler Cl of the Lower house—

This house being given to understand that Edward English was now since the sitting of this Assembly taken here in Execution at the Suite of John Rousby concerning Joseph Spernon for litting the said Spernon Escape or go at Large after he had taken him in Execution at the said Rousby's suit the said English being Sheriff of Cecil County and finding the said English a prisoner in the Custody of the Sheriff of this County of Ann Arundell; It is Ordered that the said Edward English and the Sheriff of Ann Arundell County forthwith apear before this house

Then Came the said Edward English and the Under Sheriff of Ann Arundell County, His Lordship the Lord Proprietary being then present in this house Declared that he had Commanded the said English hither upon Publick Business It was therefore Ordered by this house That the Sheriff of Ann Arundell County Suffer the said English to be at Liberty untill the End of this Sessions of Assembly The said Execution being at this time unduely Served—

Then was read again the Petition of Joseph Spernon and thereupon Major Trueman sent to the Lower house with this Message.

Upper house 11th of October 1683

This house hath presented to them a Petition of Joseph Spernon wherein Mr John Rousby a Member of the Lower house is Concerned; This house desire to know if the Lower house will give Leave to the said Mr Rousby to appear in this house this afternoon and be present at the Examination of the whole matter, The said Spernon having not been Viva Voce heard in this house

Signed p. Order Thos Grunwin Cl of the Lower house

He returns

Then Appeared the said Mr Rousby and Spernon, and the Petition and the Matter Contained therein discoursed and they Ordered to withdraw—

Mr Rousby and Joseph Spernon came again into this house and the Matter Between them Debated and Depositions read and the further Debate referred till Mr Rousby have further leave from the Lower house—

Coll Digges and Mr Secretary Darnall sent to the Lower house with a List of the places for Towns Nominated by his Lordship and Upper house which is as followeth U. H. Journal 1659–98

St. Maries County

1st The City of St Maries
2 Brittons Bay John Bayleys or Taunts
3 at the Indian Town at Chaptico his Lordships Mannor

Kent County

1 Shipping Creek his Lordship being resolved to lett Kent Island be a County itself as formerly

Ann Arundell County

1st Town Land at Proctors
2 South River Coll Burgess Land by gift of Coll Burges
3 Herring Creek on the Town Land

Charles County

1 Digges purchase by Gift of Coll Digges in Wiccocomoco River formerly Fendalls on the Creek there— p. 503
2 Near the Mouth of Port Tobacco Creek on the East side of the Creek on the Church Land

Calvert County

1 Leonards Creek on Richard Smiths Land
2 Hollings Point or his Lordships Mannor
3 at Gaunts near his Landing
4 Warringtown on the Cliffes Town Land.

Baltimore County

1 In Potapsco River near Humphreys Creek
2 Bush River on the Town Land near the Court house

Talbot County

1 In Tredhaven Creek at the Town Land
2 In Kings Creek near the old Town Land
3 Wye River Town Land there
4 Town Land at the fork in Chester River Major William Coursey having Assured Land for it—

Somerset County

1 Wiccocomoco River on the South Side on the Land next above the Land of the Orphans of Charles Ballard—
2 On the Land on the North side of Mudford Creek on Smiths & Glanvills Land
3 On Mr Horseys land in Annimessex—
4 On Morgans Land formerly the Barrows towards the head of Pocomoke
5 On the Land between Mr Jenkins Plantation and Mr Howards Plantation on the North Side of Pocomoke—

Dorchester County

1 On Morgans Land near the head of fishing Creek in little Choptanck—

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2 On Travers Land on the West Side of the North West Branch of Transquakin River

Cecill County

1 Grays Inn Creek at the Town Land
2 at the Town land on Sassafras River
3 Elk River Jacob Nose point—

Under Writt thus Upper house 11 October 1683

His Lordship and this house have Nominated the places ascertained as above is sett down, And as for the Commissioners by the Lower house Nominated can say Nothing till have a Sight of the Bill to know for what purpose Nominated, Messengers return having Delivered the Same

Signed p Order Thos Grunwin Cl of Assembly.

Mr Robert Carvile and Doctor Brookes from the Lower house with this Message

Lower house of Assembly 11th October 1683.

This house desire a Conference with the Upper house upon the Message sent from the Upper house this Day by Major Trueman Mr Darnall and Coll. Burges Concerning the Bill for Elections of Burgesses &t

Signed p. Order C Boteler Cl of the Lower house—

p. 504 Thereupon this following Message Sent to the Lower house by Mr Secretary Sewall

Upper house 11th October 1683

This house have appointed to Morrow Afternoon between One and two of the Clock for Conference with the Lower house Concerning the Bill for Electing of Burgesses &t

Signed p. Order Thos Grunwin Cl of Assembly

Voted in this house that Coll Lowe Mr Secretary Darnall and Major Trueman be the persons more Especially designed for the Manageing the Conference

The house Adjourned till to Morrow Morning 9 a Clock—

Friday 12th October 1683 the house mett again

Present

The honourable

Coll Henry Coursey, Coll Vincent Lowe, Coll Henry Darnall, Coll William Stevens, Coll William Digges, Coll William Burges, Mr Secretary Sewall, Mr Secretary Darnall, Major Thomas Truman

The Bill against Embezelling his Lordships Ammunition and Ordinance read the second and third time, and putt to the Question whether the Same should pass as it is or with Amendments, Voted with Amendments U. H. Journal 1659-98

Mr Attorney Generall and Mr Carvile with the Town Bill and with this Message—

Lower house 12th October 1683

This house have sent the Bill for Advancement of Trade so farr as it is finished thereby to shew the intent of this house in Nominating such severall Commissioners for each County

Signed p. Order C Boteler Cl of the Lower house—

Mr Hatton and Captain Peirce from the Lower house with a Bill for providing in case of Sudden Accidents in this Government—

The Bill against Imbezelling his Lordships Ammunition and Ordinance read as drawn by this house, And then putt to the Question whether the same should pass as Drawn by this house, or that which came from the Lower—Voted that the Bill pass as Sent up by the Lower house and after passed and Signed the same sent down to the Lower house by Major Trueman

The Bill providing against Sudden Accidents in the Government read the first Second and third time, and passed and sent down to the Lower house pr Coll Stevens—

Mr Robert Carvile from the Lower house for the Statutes at large the same given to him and he returns—

The house Adjourned till after Dinner

Then mett again

Coll Stevens goes down to the Lower house with the Bill for Advancement of Trade with Order to tell the Lower house, That this house have no Objection against the Commissioners Named by the Lower house; he returns and says he had Delivered his Message

Mr Carvile from the Lower house to know if this house is ready for the Conference, And was Answered that this house will give them Notice when they are ready.

Coll Darnall goes to the Lower house to give Notice that this house is now ready—he returns p. 505

The Members of the Lower house with the Speaker come into this house and then began the Conference which being ended the Members of the Lower house withdrew and go down—

Captain Osborn from the Lower house with this Message Vizt

Lower house of Assembly October the 12th 1683

This house desire the Upper house to take into Considera-

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tion the Objections that Captain Osbourne a Member of this house shall make to the places appointed for Town or Towns in Pocomoke River—

Signed p^r^ Order C Boteler Cl of the Lower house

Ordered that Captain Osborne appear to Morrow Morning to give his Objections ag^t^ the place or places Mentioned for Towns in Somerset County—

Then came M^r^ Frisby and Captain Peirce Delegates for Cecill County & Offered their reasons for Alteration of places for Towns in Cecil County which being heard by this house It was thereupon Ordered that this Ensuing Message be sent to the Lower house by the said M^r^ Frisby

Upper house 12th October 1683

This house for reasons Offered by M^r^ Frisby for Alteration of places in Cecil County are willing the places be as followeth at Captain Johns Creek in Elk River on William Prices Plantation in Sassafras at William Frisbys Plantation in Worton Creek

Signed p^r^ Order Thomas Grunwin Cl of Ass^ly^

The house Adjourned till to Morrow Morning 9 a Clock—

Friday 13th October 1683 The house mett again &

Present

The honourable

Coll Henry Coursey	Coll William Burges
Coll Vincent Lowe	M^r^ Secretary Sewall
Coll Henry Darnall	M^r^ Secretary Darnall
Coll William Stevens	Major Thomas Trueman
Coll William Digges	Coll George Talbot

M^r^ Secretary Sewall goes to the Lower house with this Message

Upper house 13th October 1683

This house is ready to hear the Burgesses of Somerset County as to places appointed for Towns in Pocomoke River—

Signed p^r^ Order Tho Grunwin Cl of Assembly—

Captain Osborn and Captain Smith Appeared in this house to give reasons about place for Town in Pocomoke, the Matter being Argued and reasons Offered, Coll Coursey told them that their Speaker was pleased to hint yesterday, That the Naming the places for Towns was a right resting in his Lord-

ship the Lord Proprietary and since the matter is Disputed between the two Burgesses themselves it is the Order of this house that places stand as Ordered by his Lordship U. H. Journal 1659–98

Mr William Richardson and Captain Hill from the Lower house with this Message

Lower house of Assembly 13th October 1683—

This house conceive by such reasons as have been Offered by the Delegates of Ann Arundell County, That a Town Seated in some Convenient Place of West River will farr better suit the Conveniency of all the Inhabitants living between Herring Creek and South River than the place Appointed in South River and have sent the said Delegates to Offer their reasons to the Upper house desiring their Concurrence therein p. 506

Signed pr Order C Boteler Cl of the Lower house

Then Captain Hill Offers his reasons to this house and Mr Richardson his also Whereupon this house desired them to Depart for the present and this house will take further time to Consider of their reasons

Mr Clement Hill and Captain Peirce from the Lower house with this Message

Lower house 13th October 1683—

This house desire to know if the Upper house have any Bill or other Matter prepared to send to this house Otherwise this house will Adjourn till Monday Morning

Signed pr Order C Boteler Cl of the Lower house

The said Messengers return with Answer that this house will send to them Suddenly

And then was sent by Major Thomas Truman this Message

Upper house 13th October 1683

This house are of Opinion that in the Act for Towns a Clause be incerted that his Lordship the Lord Proprietary his heirs and Successors Lords and Proprietaries of this Province have power reserved to him and themselves at any time hereafter to Nominate any new place or Places where the People are in Want of Town or Townes to be equally priviledged with the Towns Mentioned in the said Act.

Signed pr Order Tho Grunwin Cl of Assembly

Major Trueman returns and says the Lower house is Adjourned

This house Adjourned till Monday Morning 9 a Clock

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Monday 15th of October 1683 the house mett again

Present

The honourable

Coll Henry Coursey	Mr Secretary Sewall
Coll Vincent Lowe	Mr Secretary Darnall
Coll Henry Darnall	Coll George Talbot
Coll William Burges	

The Message Sent on Saturday last by Major Trueman and not Delivered to the Lower house they being Adjourned is now sent again by Coll Darnall he returns and Says he has Delivered the same

The Debate reassumed Concerning the Bill of Elections and the preamble not agreed on And at length it was Resolved in this house that a New Bill be Drawn and after passed in this house to be sent down to the Lower house

The house Adjourned for an hour Then Sat again
And Adjourned till to Morrow Morning 9 a Clock

Tuesday 16th October 1683

The house mett again present as yesterday and Major Trueman Coll Digges being Absent was sent for by his Negroe Man who carryed with him this Order from the house

Upper house 16th October 1683—

p. 507 By Order of this house your Appearance is forthwith required by this house they having at this time especial Occasion for your presence of which I am Commanded to give you Notice

Signed pr Order Tho Grunwin Cl of Assembly

To the honble Coll Wm Digges one
of the Members of the Upper house of Assembly These.

Mr Secretary Sewall Sent to the Lower house with the following Message

Upper house 16th October 1683

This Day being appointed for the Tryall of Jacob Young, this house doth give Notice that they are ready to go upon the said Tryall if the Members of the Lower house Appointed to Manage the Impeachment are ready to prosecute the Same

Signed pr Order Thos Grunwin Cl of Assembly

He returns having delivered the Same

Mr Clement Hill and Captain Peirce from the Lower house with this Message

Lower house of Assembly 16th October 1683 U. H. Journal 1659–98
This being the Day Appointed for Tryall of Jacob Young this house do acquaint the Upper house that the Members of this house Appointed to that end are ready to Manage the same if the severall Witnesses are Summoned and ready to give in their Evidence as formerly was desired by this house
Signed p^r^ Order C Boteler Cl of the Lower house

This house doth return Answer of the said Message as followeth—

Upper house of Assembly 16th October 1683
This house hath caused the Evidences against Jacob Young according to the desire of the Lower house by Message of the 8th of this Instant to be Summoned and if the Members of the Lower house Appointed to Manage the Impeachment against him are ready with their Evidences This house doth Appoint Two of the Clock in the afternoon of this Day for the time and for some reasons the Lower Room commonly called the Court Room is desired for the Place
Signed p^r^ Order Tho: Grunwin Cl of Assembly

The said Message sent by Coll Burgess who returns and says he has Delivered the Same
The house Adjourned till two a Clock then Sat again
Major Trueman goes to the Lower house to know whether they intend to go upon the Tryall of Jacob Young this Night or not
He returnes and Says the Lower house are preparing a Message for this house
Then came Captain Smith and M^r^ William Richardson from the Lower house with this Message

Lower house of Assembly 16th October 1683
The Members of this house Appointed for the Management of the Impeachm^t^ against Jacob Young have reported to this house that severall of the paper Evidences in a Message from this house of the Eighth Instant Mentioned are wanting and therefore this house desire that the Tryall may be Deferred till Nine of the Clock to Morrow Morning
Signed p^r^ Order C Boteler Cl of the Lower house—

The said Message Answered and sent by Major Sewall as followeth p. 508

Upper house 16th October 1683
This house Concurr and agree with the Lower house in

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their last Message by Captain Smith and Mr William Richardson

Signed pr Order Tho: Grunwin Cl of Assembly

Mr Carvile from the Lower house for the last Journall of the Lower house of Assembly, the same Delivered to him—

The house Adjourned till to Morrow Morning 9 a Clock—

Wednesday 17th October 1683

The house mett again and all present as yesterday

Mr Robert Carvile from the Lower house to acquaint this house that they are ready (when this house please) for Jacob Youngs tryall

This house Adjourned into the Court house Room below Stairs there to Sitt and hear the Tryall of Jacob Young—

There then be present and Sitting upon that Tryall of this house as followeth—

The honourable

Coll Henry Coursey, Mr Secretary Sewall
Coll Henry Darnall, Mr Secretary Darnall
Coll William Digges, Major Thomas Trueman
Coll William Burges, Coll George Talbot

The Members of the Lower house appointed to Manage the Impeachmt against Jacob Young Appeared, also the Speaker and the rest of the Members of the Lower house—

Then was Command given to the Sheriff of St Maries County that he bring Jacob Young before the Barr of this house—the said Jacob Young Appeared—

Then was read all the Articles of Impeachment against the said Jacob Young, and his particular Answers to the Same—

Then was produced Severall Evidences against the said Jacob Young who took their Oaths, who were, Captain Richard Hill, Coll Coursey, Coll LLoyd Captain Johnson Coll Stevens Edmund Dennis and John Higdon

Jacob Young produced Several Papers and Commissions which he had received from the Government of Maryland all which being read in Court; It was asked by the Court whether Jacob Young had any Person in Court to Plead as his Council in Defence of the Articles Alledged against him whereupon Thomas Bland an Attorney appeared and Pleaded for the Prisoner against the Articles of Impeachment The Tryall Ended

The honourable Coll: Vincent Lowe told the Prisoner that the Severall Crimes whereof he stood Impeachment and many of them proved against him, was of a very high Nature, and

ought to be well Considered of by this house before Judgment given thereupon— U. H. Journal 1659–98

Ordered that the Sheriff of S[t] Maries County take the Prisoner away from the Barr and keep him in Safe Custody and bring him before this house to Morrow Morning Nine a Clock

The house Adjourned till to Morrow Morning 9 a Clock p. 509

Thursday 18th October 1683 the house mett again

Present

The honourable

Coll Henry Coursey	Coll William Burges
Coll Vincent Lowe	M[r] Secretary Sewall
Coll Henry Darnall	M[r] Secretary Darnall
Coll William Stevens	Major Thomas Truman
Coll William Digges	Coll George Talbot

The house Adjourned into a Grand Committee to Consider the Business of Jacob Young where was present the same Persons which Satt upon the Tryall of the said Jacob, and it was then Ordered that this Message be sent to the Lower House

Upper house October the 18th 1683—

This house having Seriously Considered of the whole tryall of Jacob Young and of the Witnesses produced against him and all other Circumstances in Relation to the Same are of Opinion that the Severall Evidences Sworn against him are not Sufficient in Law to take away the Life of the said Jacob or any Member of him, Yet do believe and Certifie hereby That by several Evidences and Circumstances thereunto Belonging there is Sufficient to Imprison the said Jacob during pleasure, and therefore Desire the Concurrence of the Lower house in Drawing a Bill of Attainder against him, And that he may be Imprisoned during the Pleasure of his Lordship and both houses of Assembly

Signed p[r] Order Tho Grunwin Cl of Assembly.

The same Sent by Coll Henry Darnall who returns having Delivered the same

Then the whole house Sat again and present as when first mett in the Morning

M[r] Attorney Gen[l] & M[r] Robert Carvile from the Lower house with this Message—

Lower house of Assembly 18th October 1683

This house having Caused the Bill for Advancement of

U. H. Journal 1659-98 Trade to be twice read have passed the same to Engrossment but having Answer from the Upper house—That the Ports or Places desired to be Altered by the Respective Members of this house could not be done in his Lordships Absence, So that the Blanks left in the said Bill could not be hitherto filled filled up, This house Notwithstanding desiring the Dispatch of all Matters before them have sent up the said Bill as it is to the Consideration of the Upper house Desiring likewise the Assent of the Upper house to the Bill for Elections having Layn so long in the Upper house since the Conference at which time this house is well assured to have given Sufficient Reasons for passing thereof—

Signed p^r^ Order C Boteler Cl of the Lower house—

Then came from the Lower house Captain Smith & M^r^ William Hatton with this Message

Lower house October the 18th 1683

This house desire the Upper house to Appoint Some Members of their house to Join in Committee with some Members of this house to State and Settle the publick Debts and Accounts of this Province

Signed p^r^ Order C Boteler Cl of the Lower house—

Coll Stevens and Coll Digges appointed by this house to
p. 510 Join with Members of the Lower house in a Committee for Settling the Publick Accounts—and this Message Sent by them to the Lower house

Upper house 18th October 1683

This house have Appointed Coll William Stevens and Coll William Digges to Ioin with Members of the Lower house as a Committee for Stating the Publick Accounts who are ready when ever the Lower house shall Nominate their Members for that purpose and give Notice to this house that they are ready to go upon the said Committee as to the Bill of Election of Burgesses &^t^ there is one Drawn by this house and passed to Engrossment & when Engrossed shall send the same to the Lower house

Ordered that Coll Lowe M^r^ Secretary Darnall and Coll George Talbot prepare for this house a Bill for Encouragement of Bringing Money into this Province

The Bill Drawn by this house of Election of Burgesses &^t^ read the third time and passed this house and sent down to the Lower house by Coll Stevens and Coll Burgess. they return and say they have delivered the Same—

Captain Smith Captain Osborn Major Long and M^r^ James Frisby from the Lower house with Message as followeth

Lower house of Assembly 18th October 1683 U. H. Journal 1659–98

This house cannott Concurr with the Upper house in the Message of this Day sent to this house by John Darnall Esq^r^ Concerning a Bill of Attainder against Jacob Young

Signed p^r^ Order C Boteler Cl of the Lower house.

The house Adjourned till to Morrow Morning 9 a Clock

Friday 19th October 1683

The house mett again upon further Consultation of Jacob Young and present the Same Persons that Sat upon his Tryall, and this Message thereupon sent to the Lower house by Major Thomas Trueman Viz^t^

Upper house 19th October 1683

This house have Seriously Considered of the Tryall of Jacob Young and of the Evidences that have been Examined against him and all other Circumstances relating to the Same, Do find these things following very Clearly proved against him the said Jacob, That in the Year of Our Lord 1677 when Coll Henry Coursey was Empowered by Commission from the Honourable Thomas Notely Esq^r^ Deputy Governor of this Province and the rest of the Council to go to Fort Albany and so Negotiate a Peace with the Northern Indians and us his Majesties Subjects in this Province and for the Pisscataway Indians at which time he the said Coll Coursey took along with him the said Jacob Young as Interpreter and when the said Coll Coursey after his coming to Albany told the said Jacob that his Commission was to Conclude a peace (if Possible) for the Good of this Province and also for the Pisscattaway Indians; That the said Jacob made Answer; That if he had known so much before he came thither that the Susquehannahs had not to have been Included in that Peace he had rather have given 20000 ^lb^ Tobacco than have Come with him, proved by the Oath of Coll Coursey, and that in the Year 1682 when the Northern Indians Came and Besieged the Pisscattaway Fort Coll: Henry Coursey and Coll William Stevens were sent as Agents to the Northern Indians at which time p. 511 Jacob went as Interpreter and the said Jacob being required by the Agents to ask the Northern Indians why they came down to Warr with the Pisscattaways Contrary to Articles of Peace Concluded with them in the year 1677 wherein the Pisscattaways were Included at which the said Jacob said Nothing for some small time But after made Answer that if he had thought he should have spoke of any such thing to the Northern

U. H. Journal 1659-98 Indians he would rather have given 10000 ll of Tobacco than have come to Interprett upon that Account—

proved by the Oaths of Coll Coursey and Coll Stevens—

And Since his Imprisonment the said Jacob hath Utterred these words That those that Caused those Irons to be putt upon his Legs should pay Dearly for it when he was at liberty proved by the Oath of John Higdon and moreover the said Jacob spoke that the Susquehannahs were an Innocent People and that he could make them and the said Northern Indians do what he pleased; proved by the Oath of Joshua Doyne These Matters foregoing proved by Christian Evidences, Besides the many things proved before Coll: Coursey and Coll LLoyd in the last Agency at Fort Albany by the Indians and We his Majesties Subjects being very Sensible that for Several Years last past The said Northern Indians mixt with the Susquehannahs made Divers Incursions into this Province and Committed many Murders & Robberies in it, And this house having Seriously Considered of the great Influence the said Jacob hath upon the Susquehannahs and Senniquo Indians and what a Dangerous person he is to this Government desires that the Lower house will reassume the Debate touching him the said Jacob and Join with this house in Voting that the said Jacob may be Imprisoned during Pleasure of the Right Honourable the Lord Proprietary and both houses of Assembly.—

Signed p^r^ Order Thomas Grunwin Cl of Assembly.

Major Trueman returns having Delivered the same
Then the house Sat as in full house—

Present

The Right Honourable the Lord Proprietary

The honourable

Coll Henry Coursey	Coll William Burges
Coll Vincent Lowe	M^r^ Secretary Sewall
Coll Henry Darnall	M^r^ Secretary Darnall
Coll William Stevens	Major Thomas Trueman
Coll William Digges	Coll George Talbot

Then came M^r^ Clement Hill from the Lower house with this Message—

Lower house of Assembly October 19th 1683

This house have Appointed M^r^ Clement Hill M^r^ James Frisby and M^r^ Richard Hall to Join with Coll William Stevens and Coll William Digges Members Appointed for a Committee to State the Publick Debts and Accounts of this Province who are now ready to go out upon the same

Signed p^r^ Order C Boteler Cl of the Lower house—

Thereupon Coll: Stevens and Coll Digges go out upon the said Committee. U. H. Journal 1659–98

The Committee Appointed to prepare the Act for Money go out Major Long and Mr Leonard from the Lower house with this Message.

Lower house of Assembly 19th. October 1683

This house having Impeached Jacob Young upon Severall Crimes laid down in the Articles of Impeachment drawn against him, and the same presented by the Members of this house for that End appointed according to such Evidence of Matter & things as did appear before them Did then leave him and his Crimes to the Censure and Judgment of the Upper house; So that this house Conceive it no ways fitt to Concern themselves in giving any Sentence or Judgment against the Prisoner whom themselves have both Impeached and Prosecuted p. 512

Signed pr Order C Boteler Cl of the Lower house of Assly

All Committees come in=And the house Adjourns till to Morrow Morning 9 a Clock

Saturday 20th 1683

The house mett again present as Yesterday
Except Coll Darnall & Mr Secretary Darnall

Mr Secretary Sent to the Lower house for the Booke of Laws he returns and says the Lower house will send the Same—

Mr Bartholomew Ennalls from the Lower house with the Book of Laws

George Hope presents to this house a Petition for being Exempt from Publick and County Levys The Petitioner having lost one of his Legs at Sea by a Shot with a Bullett, the said Petition Endorsed thus

Upper house 20th October 1683

This house referrs this Petition to the Consideration of the Commissioners of the County where the Petitioner lives who best know the Conditon of the Petitioner

Signed pr Order Thos Grunwin Cl of Assembly

Mr Hatton & Captain Hill from the Lower house with this Message

Lower house of Assembly 20th October 1683

This house having taken into their Consideration, That none

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of the Laws made at the four last Sessions of Assembly have been Entered into the Book of Laws But that the same lye in the Office in Single Sheets much torn stained and Impaired This house desire the Upper house to Concurr with this house in Voting that the Secretarys of this Province Cause the said Laws to be Entered into the Book of Laws in a fair Sett hand

Signed p^r^ Order C Boteler Cl of the Lower house.

M^r^ Secretary Sewall Sent to the Lower house with this Message in Answer to the last of theirs—

Upper house 20th October 1683.

This house do readily Concurr with the last Message by M^r^ Hatton and Captain Hill; And the Secretaries have now Ordered the Acts not Transcribed be Immediately fairly Transcribed—

Signed p^r^ Order Tho: Grunwin Cl of Assembly

Coll Digges goes to the Lower house from this house with this Ensuing Message Viz^t^

Upper house 20 October 1683—

This house having taken into their Serious Consideration the Great Care and kindness of Our Sovereign Lord the King in giving in Charge to the Right Reverend Father in God the Bishop of London, To Supply this Place with able and Devout Ministers whereby the People may know their

p. 513

Duty To God and their Obedience to their Rulers do request the Lower house of this Assembly To Join with this house in giving Thanks to M^r^ Duell Pead for his Learned Sermon preached before these two houses the 14th Instant and that some Acceptable Present be given him for the same and this house is willing to Concurr with them therein

Signed p^r^ Order Thomas Grunwin Cl of Assembly

He returns and Says he has Delivered the Same to the Lower house—

M^r^ Ennalls from the Lower house for the former Bill of the Lower house for Electing and Summoning Burgesses &c: The same Delivered unto him

The house Adjourned till Monday Morning 9 a Clock

Monday 22 October 1683 The house mett again

Present

The honourable { Coll: Coursey, Coll: Lowe, Coll: Digges, Coll Stephens } { Coll Burges—, M^r^ Secretary Sewall, Major Trueman }

Coll Digges Coll Burges Mr Secretary Sewall and Major Trueman to the Lower house with these two following Messages Vizt U. H. Journal 1659–98

Upper house 20th October 1683

This house have read and Considered of the Act for Advancement of Trade and his Lordship hath Nominated these following Places for Towns Vizt Kent Shipping Creek als Coxes Creek to fill up the Blank therefore left, Ann Arundell County South River on Coll Burgesses Land to fill up the Blank there left. Calvert County on John Bowlings Land near Gaunts Land instead of Gaunts Land Greys Inn Creek at new Yarmouth for a Town in Kent County, as to the Business of Entering and Clearing of Ships in a Clause in the Bill Mentioned This house do think that the same may be left to his Lordship as formerly By reason the same Office is of very great Concern not only to his Lordship but to the King also and so not to be trusted but in very good Safe and Capable Persons hands, and it may happen that such Persons may not be found Seated Conveniently for that purpose in every County. In all things else this house do well approve of the said Bill

Signed pr Order Thomas Grunwin Cl of Assembly

Upper house 22 October 1683

This house having once more Debated the Business of Jacob Young and the Crimes that are laid to his Charge in his Impeachment and what of it is proved against him cannot think it either Reasonable or Safe to Suffer him the said Jacob to go at Large, and Since he hath been Impeached by the Lower house, This house think it the best way of proceeding that some Members of both houses be Appointed for a Committee to Draw up a Bill against him the said Jacob to secure him from any further Mischief to this Government and so to pass it into an Act as in the Case of Edward Husbands as by that Law made against the said Edward Husbands may appear in an Assembly held at St Maries the 20th Day of October 1678 And since this Assembly has so good a President for it— This house desire the Concurrence of the Lower house herein it being for the Safety and Security of the Government p. 514

Signed pr Order Tho: Grunwin Cl of Assembly

The aforesaid Messengers go with the said two Messages and with the Act of Assembly against Husbands; They return having Delivered the Same—

Mr Attorney Generall Mr Robert Carvile Mr William Hatton and Mr Rousby from the Lower house with these two Bills

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Viz[t] a Bill Entituled an Act Directing the manner of Summoning and Electing of Burgesses—

A Bill Entituled an Act Touching the Levying of Warr and Defraying the Publick Charges of this Province

The Bill for Money read in this house

M[r] Clement Hill and M[r] Hutchins from the Lower house with a Bill for Lessening the Number of Horses—

The last Bill from the Lower house Directing the Manner of Summoning & Electing Burgesses Read the first time

The Bill Touching Levying Warr &[t] Read the first time

Captain Smith and Captain Osborn from the Lower house with this Message

Lower house of Assembly 22 October 1683.

This house having Reassumed the Debate touching Jacob Young upon the Message this Day received from the Upper house Doth not think fitt to Recede from their Vote of the 19th Instant sent from this house to the Upper house by Major Long and M[r] Green and therefore cannot Concurr with the request of the Upper house in the Joining in Committee as is Desired—

Signed p[r] Order C Boteler Cl of the Lower house

A Petition of Stephen Gareys read in this house for Allowance for lost Levys, The said Petition Delivered to the Petitioner thus Endorsed—

Upper house 22[d] October 1683

This Petition Referred to the Consideration of the Lower house where the Members of Dorchester County will be present who in Probability may be knowing in the Matter Petitioned for—

Signed p[r] Order Tho[s] Grunwin Cl of Assembly

Captain Peirce and D[r] Brooke from the Lower house and bring this Message

Lower house of Assembly 22[d] October 1683

In Answer to the Message received this Day from the Upper house relating to the Bill for Advancement of Trade Together with the said Bill, This house have Caused the Blanks to be filled up according as his Lordship hath there Nominated the Places for Trade in Calvert County Ann Arundell County and Kent County, and as to that part of the said Message touching Entring and Clearing of Ships and the Clause in the Bill relating thereunto, This house Conceive that the having such Persons Appointed in each respective

County for the Purposes therein Mentioned will highly Conduce to the Advancement of Trade and Dispatch of the Merchants and Shipps Concerns Being that in those Counties where they are used to Trade they will with more Ease and loss of little or no time procure and find Securitys in such Cases as the Law requires and have no Occasion to be so long Stayed from their Intended Ports as heretofore hath happened to their great Damage and therefore this house desire the Concurrence of the Upper house that the said Clause may stand as it doth in the said Bill being assured his Lordship will at all times find Persons Sufficiently Qualified for that Purpose Conveniently enough Seated in Each County within this Province— U. H. Journal 1659–98 p. 515

Signed p^r^ Order C Boteler Cl of the Lower house

For Answer to which Message this Ensuing was Sent to the Lower house by Coll Burges and Major Thomas Trueman Viz^t^—

Upper house 22 October 1683—

In Answer to the last Message by Captain Peirce and Doctor Brooke concerning Places for Entring and Clearing of Ships This house are as much Desirous as any for the Ease and Quick Dispatch of Ships and Vessels, But do think to have a Collector in every County may not be Absolutely Necessary And that the places hereafter Named for Entring and Clearing Shipping within this Province may have the Lower house's Concurrence with this house to the same Viz^t^ for all the Western side of this Province Wicocomoco S^t^ Maries, Patuxent and Ann Arundell for the Eastern Side Talbot and Somerset—

Signed p^r^ Order Tho^s^ Grunwin Cl of Assembly

Major Truman returns and says the Message is Delivered

The Committee of Accounts go out.

The house Adjourned till to Morrow Morning 9 a Clock

Tuesday 23^d^ October 1683

The house Satt again and present as before

The Committee of Accounts go out.

The Bill for Lessening the Number of horses &^t^ read the first time—

The house Adjourned till to Morrow Morning 9 a Clock

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Wednesday 24th October 1683

The house Satt again present as on Monday and Mr Secry Darnall—

The Committee of Accounts go out—

Mr Secretary Sewall goes to the Lower house with the Bill for Lessening the Number of Horses and with this Message—

Upper house 24th October 1683

This house have read the Bill from the Lower house Entituled an Act for Lessening the Number and Bettering the Breed of Horses in this Province But cannot find that this Bill as now Drawn will either Answer the intent or Tittle of the said Act for these two reasons—

1. This Act Will Discourage few People from keeping of horse or Mare Especially any Single Man freeman or person that is no house keeper for the Number of Horses in Every County will so Lessen the Levy That they will pay no more or very Little more or it may be less than formerly—

2d This Act Lessens not the Number nor Betters not the Breed, But only Transfers the Interest and property of a Horse from one to Another but still the Horse is Alive and Eats Grass and gets into Corn fields as much as Ever

This house is very Willing and thinks it very Necessary that
p. 516 a Law pass for The Lessening the Number and Bettering the Breed of Horses, And in Order to that this house Offers these Propositions to the Consideration of the Lower house Conceiving the same may Answer the End to which the Law is intended Vizt

1st That Six Stone horses be kept at Six Several Houses in every Respective County of fifteen hands high to be kept in some Safe Inclosure or house to Serve as Stallions in and for that County—

2d That no Stone Horse be Suffered to range in the Woods, That it shall be Lawfull for any person to kill or Destroy them at pleasure after a certain time

3d Every Man that is willing to have his Mare gott with fole shall Bring their Mare to one of these Six places who shall be Obliged to lett his Stone horse Leap their Mares for 18d in Money for the Same—

4th To Encourage the Destroying of Stone Horses Every One bringing before a Justice the Stones of a horse upon Certificate shall be Allowed in the County Levy thirty pounds of Tobacco per horse—

This house desires that the Lower house will draw a New Bill to the Effect aforesaid or any other way that will Answer the End and intent aforesaid and this house shall Concurr therein

Signed pr Order Tho: Grunwin Cl of Assembly

M[r] Secretary Sewall returns having Delivered the Message Major Weeks Cap[t] Smith & M[r] Ennalls from the Lower house with this Message U. H. Journal 1659–98

Upper house of Assembly 24th October 1683

Your Lordships most humble and Obedient Servants the Upper and Lower Houses of this present Generall Assembly with all Imaginable Gratitude acknowledging Your Lordships great Love and Affection to the Good People of this Province Expressed in your Lordships Speech made to your two houses at the opening of this Sessions and more particularly in Conveening this Assembly and Appointing your Lordships Provincial Court to be held in this place so near the Center of your Lordships Province for the great Ease and General Conveniency of the Inhabitants thereof do with all Dutifull Affection hereby present to Your Lordship their most Humble and hearty thanks; And do further pray your Lordship to Signifie to both houses what place your Lordship Intends all future Assemblies Provincial Courts and Offices shall be held and kept at that they may take Speedy Course to make Provision of Buildings fitt for the reception thereof and this house desires the Concurrence of the Lower house therein

Signed p[r] Order C Boteler Cl of the Lower house—

M[r] Hatton and Major Long with this Message from the Lower house.

Lower house 24th October 1683

This house having taken into Consideration the Message sent from the Upper house the 20th of October Instant concerning giving thanks to and Acceptable present to M[r] Duell Pead for preaching his Learned Sermon before the Two houses the 14th Instant, This house do Concurr with the Upper house, that thanks be thefore given unto him the said M[r] Pead by M[r] Speaker for and in the Name of the Lower house Butt cannot Concurr with the Upper house in giving any present according to the aforesaid Message. p. 517

Signed p[r] Order C Boteler Cl of the Lower house of Assembly

M[r] Hutchins and M[r] Green from the Lower house with this other Message Viz[t]

Lower house 24th October 1683

This house understanding by the Paper Message this Day brought by the Honourble Major Sewall that their Bill for Lessening the Number and Bettering the Breed of Horses is Rejected by the Upper house, and this house having Con-

U. H. Journal 1659-98 sidered of the Propositions in the said Message Expressed do desire the Upper house that they will Order a Bill to be Drawn up accordingly—

Signed p^r^ Order C Boteler Cl of the Lower house.

This house desire the Assent of the Upper house to the Bill for Directing the manner of Elections &c. and to the Bill touching the Levying of Warr and Defraying the publick Charge of this Province both sent to the Upper house the 22^d^ Instant—

Signed p^r^ Order C Boteler Cl of the Lower house—

Cap^t^ Peirce and Doctor Brooke from the Lower house with Message as followeth

Upper house of Assembly 24 October 1683

This house desire to know of the Upper house if their Honours have any Bill or other Matter to send this house this Night Otherwise this house will Adjourn—

Signed p^r^ Order C Boteler Cl of the Lower house—

The same answered as followeth

Upper house 24th October 1683

This house hath not any thing before them that can be sent to the Lower house this Night—

Signed p^r^ Order Tho: Grunwin Cl of Assembly

The house Adjourned till to Morrow Morning 9 a Clock

Thursday the 25th October 1683

The house mett again in the Business of Jacob Young and present as before in that Matter Except Coll Talbot.—

And this Message sent down to the Lower house by M^r^ Secretary Sewall—

Upper house 25th October 1683.

This house desire to know when the Lower house can spare the Roome Commonly called the Court house Room; This house intending to Sitt there and give Sentence on Jacob Young

Signed p^r^ Order Tho: Grunwin Cl of Assembly

Then Came M^r^ Clement Hill and Captain Smith with this Message in Answer

Lower house of Assembly 25th October 1683 U. H. Journal 1659–98

This house in Answer to the Message this Day Sent by the Honourable Major Sewall; Do say that this house will forthwith Adjourne, that their honours may make use of the Room according to their Desire—

Signed p^r^ Order C Boteler Cl of the Lower house—

Then this house went down into the Court Room below Stairs there to Sitt & give Sentence on Jacob Young—

The Honourable

Coll Vincent Lowe	M^r^ Secretary Sewall	Present
Coll Henry Darnall	M^r^ Secretary Darnall	
Coll William Digges	Major Thomas Truman	
Coll William Burges		

Then was called the Sheriff of S^t^ Maries County That he have here before the Barr of this house Jacob Young— p. 518

And the Sheriff came with the said Jacob Young who was sett to the Barr of this house there to receive the Order and Sentence of this house

The Honourable Coll Vincent Lowe Declared to the Prisoner the Order and Sentence of this house which is as followeth Viz^t^

That the said Jacob Young give his own Obligation of the Penal Sum of one thousand pounds Sterling Money of England with four more Able and Sufficient Persons such as this house shall approve of to give their Obligations of five hundred pounds Sterl a piece to be Conditioned for the Peaceable Behaviour and good abearance of the said Jacob Young Towards his Lordship the Right Honourable the Lord Proprietary of this Province and all his Majestys Subjects in these parts of America, and for his the said Jacobs Personall Appearance at every General Assembly to be held in and for this Province from Assembly to Assembly during the Term of his Natural Life or untill it shall please his Lordship and both houses of Assembly to Discharge him from the Same or that he shall not be in any Parts of America; And to remain in Custody of the Sheriff of S^t^ Maries County untill such Security be Given and the Charges and fees of his Imprisonment paid

The said Sheriff took the said Jacob again into Custody

Adjourn for an hour

Then the house Sat again

Present—

The Right Honourable the Lord Proprietary

The honourable

Coll Henry Coursey	Coll William Burges
Coll Vincent Lowe	M^r^ Secretary Sewall
Coll Henry Darnall	M^r^ Secretary Darnall
Coll William Stevens	Major Thomas Trueman
Coll William Digges	

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Upper house 25th October 1683

Whereas Information hath been given to his Lordship and this house by Cap: Francis that several Men Deemed to be Frenchmen about Twenty in Number did lately sett upon one John Farthing Overseer at Thomas Browns on the North side of Severn River and were likewise seen near Potapsco River by one Carrington, Their pretence being said to be That they hunt for M[r] Anthony Demondedier; It is therefore Ordered by this house, That Coll Henry Darnall and M[r] Francis and six Armed Men along with them which they are hereby Authorized to press and Boats and horses go forthwith to the said Demondediers and make the Strictest enquiry they can of the Number Condition Quality and Intention of the said Persons and if the said Coll: Darnall and Captain Francis think it Convenient they are hereby Ordered to bring with them to this house all or any of the said French men and upon their refusall to Compell them by force and upon the return of the said Coll Darnall & Cap[t] Francis they are to make their Report to this house

Signed p[r] Order Tho[s] Grunwin Cl of Assembly

p. 519 The house Adjourned till to Morrow Morning 9 a Clock

Friday 26th October 1683 The house Sat again

Present

The Right honourable the Lord Proprietary

The honourable

Coll Henry Coursey	Coll William Digges
Coll Thomas Tailler	Coll William Burges
Coll: Vincent Lowe	M[r] Secretary Sewall
Coll William Stevens	M[r] Secretary Darnall

Then came M[r] Clement Hill and M[r] Leonard Green with a Bill from the Lower Entituled an Act for Regulating the Tares and Abuses in Tobacco hogsheads—

The last Bill of this house for Electing and Summoning Burgesses read three times in this house and passed and sent to the Lower house p[r] Coll Lowe Coll Burges and M[r] Secretary Darnall and this Message therewith—

Upper house 26th October 1683

The Lower house of this Assembly Sent to this house the 22[d] of this Instant Month a Bill for Election and Summoning of Delegates or Representatives and Burgesses to Serve in Succeeding Assemblys, which in the Preamble and Some other parts which wanted a full Explanation thereof this house

could not Concurr with the Lower house therein and yet not Differing in true intent of said Bill therefore this house hath drawn up a New Bill and desires the Concurrence of the Lower house to the same it not differing in Substance from what was desired by the Lower house U. H. Journal 1659-98

Signed p^r^ Order Tho^s^ Grunwin Cl of Assembly.

They return and say the Lower house are Adjourned for an hour

This house Adjourned for an hour.

Then Satt again and present as before

Then came Coll Darnall and made Report that he found the information given to Captain Francis and by him to this house about the Frenchmen &^t^ was false and without Ground—

An Act for Naturalization of Nicholas Verbraach read and passed this house.

An Act for Naturalization of Andrew Poulson als Mullock, Simon Johnston Peter Anleton and Mathias Peterson read and past this house, and sent to the Lower house by Coll Burgess who returns having Delivered the Same

Coll Lowe Coll Burges and M^r^ Secretary Darnall go again to the Lower house with the Bill of Elections and Message and return and say they have Delivered the Same—

Major Long from the Lower house for the last Bill of that house for Electing Burgesses &^t^ the same sent by M^r^ Secretary Sewall

Coll Digges goes from this house to the Lower house with this Message

Upper house 26th October 1683

This house received from the Lower house a Message of the 24th Instant therein Desireing that his Lordship would Signifie to both houses the Place for Assemblies Provincial Courts and Offices which this house Conceive his Lordship cannot so well do, till such time as the Bill for Advancement of Trade be first Settled and past Therefore this house desire the Dispatch of the said Bill and that it be sent up to this house, and then this house is well Assured his Lordship will give Answer to the said Message of the 24th Instant p. 520

Signed p^r^ Order Tho^s^ Grunwin Cl of Assembly

He returns having Delivered his Message

The Committee of Accounts goe out.

Coll Darnall goes to the Lower house to know if the house please to Spare M^r^ Rousby to come to this house To Answer to his Business of Spernons—

Bill for Regulating Tare of Tobacco hogsheads read the first time

Committee of Accounts Come in

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Capt Smith M^r Hill, Cap^t Osbourne, and M^r Ennalls from the Lower house with Another Bill of Elections drawn a New by the Lower house and this Ensuing Message—

Lower house of Assembly 26th October 1683

In Answer to the Message sent in Writing to this house this present Day wherein the Upper house desires the Dispatch of the Bill for Advancement of Trade till which done his Lordship cannot so well give Answer to this house to their Message of the 24th instant touching the Nominating the Places where Assemblies Provincial Court and Offices are to be kept, This house doth say that this house did the 22^d Instant send to the Upper house Two Bills passed this house to which this house desired the Concurrence of the Upper house that so they may be ready for his Lordships Assent to the same in manner as then Drawn, One of them Entituled an Act touching the Levying of Warr and Defraying the publick Charges of this Province, And four Days since having Interveened, this house have not yet rec'ed any Answer touching the same, The other a Bill directing the Manner of Electing of Burgesses &^t which Bill the Upper house Rejected and in stead thereof have sent a New Bill by the Upper house drawn and Assented to, in which is left out the Preamble which was in Substance no other than was Agreeable to the preamble of the Bill formerly sent from the Upper house to this house, and hath nothing in it Disagreeing from his Lordships Charter and Ordinance

Whereupon this house took the said Bill this Day sent from the Upper into Consideration but cannot Concurr with the Upper house in passing the same as now drawn but have caused a New Bill for Electing of Burgesses to be Drawn and herewith Sent to which this house doth desire the Assent of the Upper house as also to the Bill touching the Levying of Warr &^t and Transmitt the same to this house, and if this house may be Assured his Lordship will give his Assent to those two Bills; This house shall then readily Consent to the passing the Bill for Advancement of Trade which hath had its third reading in this house and wants Nothing but a Vote of this house for its passing to the Upper house for their Assent to the Same that so all the three Bills aforesaid may receive their Virtue and Being by his Lordships Assent to the Same at one and the same time and then this house shall Chearfully proceed on in the remainder of the Business before the two houses to the finishing the same and a happy Conclusion of this Sessions—

p. 521 Signed p^r Order C Boteler Cl of the Lower house of Assembly

M^r Secretary Darnall sent to the Lower house with this Message

Upper house 26th of October 1683. U. H. Journal 1659–98

This house desire the Lower house to send the last Bill of this house for Electing and Summoning Burgesses &t now in the Lower house and this house do inform the Lower house that his Lordship has appointed Monday next for the Day of Sessions

Signed p^r^ Order C Boteler Cl of the Lower house

Captain Hill from the Lower house with the Bill of Elections sent for by this house

And the house Adjourned till to Morrow Morning 9 a Clock

Saturday 27th October 1683 the house sat.

Present

The honourable { Coll: Coursey, Coll Lowe, Coll Darnall } { Coll Stevens, M^r^ Secretary Darnall }

Upper house 27th October 1683

This house desire the Lower house to send the Book of Laws to this house

Signed p^r^ Order Tho^s^ Grunwin Cl of Assembly

The said Message Sent by Coll Darnall who returns

M^r^ Carvile brings the Book of Laws to this house and the four Rolls of Laws not Entered

Petition of David Jones read for Allowance in the Publick for Damages Sustained by Foreign Indians, the same referred to the Consideration of the Lower house

John Sextons Petition read & referred to the Consideration of the Lower house

M^r^ Robert Carvile from the Lower house with Bill for Naturalization of Andrew Poulson als Mullock, Simon Johnstone Peter Anleton, and Mathias Peterton and their Children past by the Lower house, And also with the Bill for Naturalization of Nicholas Verbraack not past by the Lower house and M^r^ Carvile gives this reason of its not passing because the said Verbraack was Master of a Ship not Inhabiting in the Country nor having any Lands or Estate here.

Captain Hill from the Lower house for the Book of Laws the same Delivered unto him

The last Bill of Election of Burgesses sent from the Lower house read the first time and Rejected

The Bill touching the Levying of Warr and defraying the Publick Charge read the second time and rejected

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Mr Attorney Generall and Mr Hatton from the Lower house with the Bill Concerning Extent of Attachments and Executions, and say the Lower house desire the Speedy Dispatch of it Because the Reviving Bill is going and they cannot Compleat it untill they know whether this Bill pass or not, The said Bill read & passed this house

Captain Peirce & Dr from the Lower house with this Message

Lower house of Assembly 27th October 1683.

This house desire to know of the Upper house if their Honours have any Bill or other Matter ready to send to this house this Night or else this house will Adjourn

p. 522 Signed pr Order C Boteler Cl of the Lower house

Coll Darnall goes down to the Lower house with the Bill about Attachments past this house and with Order to Acquaint the Lower house that this house is fitting a Message for them if they do not Suddenly rise, He returns, the Message as followeth

Upper house 27th October 1683

Since the Bill for Advancement of Trade approved on and Believed both by the Upper and Lower houses of this Assembly to be an Act of so great and General Good to this Province and the Trade thereof, This house do once more desire that the Lower house take it again into Consideration and pass the same in the Lower house in Order to the making the same an Act

Signed pr Order Tho Grunwin Cl of Assembly

Mr Secretary Darnall sent therewith to the Lower house, He returns

Coll Lowe and Coll Stevens go down to the Lower house with this Message from this house Vizt

Upper house 27th October 1683

In Answer to the Message sent in Writing yesterday this house do say the Bill for Advancement of Trade being gone so farr this Assembly this house desire the Dispatch thereof, that this house may Concurr with the Lower house therein But this house do wonder that after that matter was Deemed by both houses so Necessary for the Good of this Province, and having Spent so much time and Tobacco this and the last Sessions about the same and should after all this be Neglected Because this house have two Bills from the Lower house lying

under their Consideration (that is to say) One directing the Manner of Exceting and Summoning of Burgesses &c: the other touching the Levying of Warr &t U. H. Journal 1659-98

To the first this house do say, That the Bill by them sent though very Little Differing is more Convenient for the Inhabitants of this Province, as this house think they cann Demonstrate

For the second Bill the same matter is provided for by Laws already made which to Enact a new seems to Interfere with that Act which Impowers the Governour and Council to make Warr or Peace with any Indian Enimys Beyond the Bounds of this Province as also to discharge the Inhabitants of this Province from any Supply or Maintenance in relation to the same Therefore this house cannot (without any further Consideration of both houses) Concurr with the Lower house in relation to those two Bills—

Signed p^r^ Order Tho^s^ Grunwin Cl of Assembly

The Messengers return having Delivered their Message

M^r^ Carvile and Cap^t^ Osborne from the Lower house with the last Message Sent from this house, and desire to know where that Law is for Impowering his Lordship and Council to make Warr or Peace with any Indian Enimys beyond the Bounds of this Province, acknowledging there was such a Law but that the same is repealed The said Messengers go out, M^r^ Carvile returns and desires Coll Stevens Book of Laws Coll Stevens told him he could not Spare it at present but on Monday Morning he should have it—he goes out—

The house Adjourned till Monday Morning 9 a Clock— p. 523

Monday 29th October 1683 The house Satt again

Present

The Right honourable the Lord Proprietary

The honourable

Coll Henry Coursey	Coll William Stevens
Coll Thomas Tailler	Coll William Digges
Coll Vincent Lowe	M^r^ Secretary Sewall
Coll Henry Darnall	M^r^ Secretary Darnall

Coll Darnall by Command from his Lordship and this house goes down to the Lower house to acquaint the Speaker and Lower house of Assembly, that his Lordships Desires them forthwith to Attend him in this house, Coll Darnall returns

M^r^ Speaker and the Lower house comes into this house where his Lordship was pleased to Speak to them as followeth—

M^r^ Speaker & You the Gentlemen of the Lower house

You cannot but be Sensible that to Morrow it will be a full

U. H. Journal 1659–98

Month Since the first Meeting of this Assembly, and also that at my first Meeting you in this place The matter of Towns was the first and principall Business I recommended to you, which accordingly has bin so farr taken under your Consideration as that after above three weeks Deliberation a Bill for Advancement of Trade was by the Lower house sent to the Upper house friday last at which time I happening to be in this house, I saw the same as also with it a paper Purporting that the Bill for Towns was not to be past in the Lower house unless some other Bills Mentioned in that Paper did pass the Upper house, and that an Assurance must also be given that I would Sign the Same, the latter part of which Message is (I am Sure) without a President, Tis strange that a Bill that had cost so much time and the Province so much Tobacco, and which in itself Contains the greatest Good to this Province that as yet We can think of should at last thus stick,

You will all of you take it unkindly at my hands should I question whether you Come here for the publick Good, and yet it plainly appears by the Proceedings of the Lower House, That without I will purchase a General Good for the Inhabitants of my Province I must not Expect it from M^r^ Speaker and the Lower house; Had I at the first Meeting of this Assembly proposed to you any Particular Advantage to my Self, you then might have had some pretence for the making a Bargain for the People; But Since Nothing of that Nature was Moved to You, why must a general Good be had at so Dear a Rate as you would Impose upon me—

I Confess the Seeing that Message with the Bill for Towns was the Occasion of my telling the Gentlemen of the Upper house that I would Conclude the Sessions this Day of which I ordered the Lower house should immediately have Notice, But having Since Considered with how ill a face the Proceedings of this Assembly would look should the Bill for Towns be at last Rejected, and after all endeavours for so great a Good this present Meeting should be now rendered thereby fruitless especially after so great Expence made both at this and the former Assembly upon this Matter—I was resolved to Meet you once more afore I Concluded this Sessions; And my Business now is to Desire that every person hear will bear

p. 524

an Open forehead, And if this Bill for Towns be not that Good I Esteem it to be, That you M^r^ Speaker and the Gentlemen here with you will go to your house and accordingly Vote it so, That so it may be known where and at whose Doores it Lyeth, This I am sure you will Grant me if there be that Decorum in the Proceedings of Your house which I wish and hope there may be, And if the Bill for Advancement of Trade be Esteemed by you as it is by me a Publick Good pray let it be accordingly Voted so in the Lower house

Tis not fitt nor reasonable that I should be thus Imposed on when I only Seek the generall not my private Advantage when you catch me at the Latter Gentlemen I will give you leave to make Bargains and then to use me as you have lately done. Pray M^r^ Speaker you and the Gentlemen of the Lower house go and immediately put what I have now directed to the Vote upon these Terms and no other I am willing to put of the Day of Sessions, By this means the Province will reap that Good which I have desired and for the obtaining of which several thousand pounds of Tobacco has been already Expended, by this means you will have further time to Settle some Main points in Our Laws which may be Necessary should be done this Meeting, which I desire in the presence of God and all here present may be a happy Meeting for if it be not remember Gentlemen I now tell you it shall be your faults not mine I assure you U. H. Journal 1659-98

The 29th of October 1683.

The aforesaid Speech Ended his Lordship Delivered the same to be Entered in the Journal of this house—

M^r^ Speaker desired a Copy thereof the same Copied and a Copy thereof sent to the Lower house by M^r^ Secretary Sewall he returns and Says he has Delivered the same to the Lower house

The house Adjourned for an hour then Sat again

M^r^ Burford, M^r^ Carvile, M^r^ Rousby and Major Weeks from the Lower house with this Ensuing Paper or Letter to his Lordship

Lower house of Assembly 29th October 1683.

May it Please Your Lordship

This house having Seriously Considered Your Lordships Speech this Day made to this house in the Upper house and Transmitted to this house in writing are heartily Sorry that any Expression in the Message by this house sent the 26th Instant to the Upper house by Captain Smith, Captain Osborne M^r^ Clement Hill and M^r^ Ennalls, should give your Lordship any Distaste for this house did not thereby ever intend to Impose upon Your Lordship any thing that might in any Sort infringe the Least of your Lordships Prerogatives, Nor did this house at any time Aim at any thing might be to your Lordships Prejudice Your Iust Rights to your Lordship granted by Your Lordships Charter, but having been always most ready and willing to Consult your Lordship and the Peoples Good and well being according to the best of their knowledge and Abilities, In Order whereunto this house did by their Message of the 26th Instant the rather more Earnestly desire

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the Upper house to give their Consent to the passing the said two Bills therein Mentioned, and the Upper house being more near to your Lordships Councils, this house did desire the Upper house to give us Some Assurance that your Lordship will give Your Assent to the same that the said three Bills might be presented to your Lordship together, This house conceiving that the passing those two Bills would equally give a great Content and Satisfaction and Settle the peace of the Province and the minds of the People as the Bill for Advancement of trade, and without the Assent of the Upper house to the Same those two Bills were not nor Could not be (as this house presumed) so fitt to be presented to your Lordship for your Lordships Assent, and although this house could not in the Least Imagine your Lordship would deny your Lower house of Assembly so reasonable a request for the Settlement of the certainty in Electing of Delegates &t and to prevent Misconstructions upon these two Acts touching the Levying of Warr and raising the publick Levys so much tending to the publick Quiet and Satisfaction to the people of this Province, and although this house hath had Severall Debates before them touching the means and ways wherein they might Demonstrate their Gratitude to your Lordship for all your Lordships high favours and Condescentions in some other matter than by words (though reall and unfeigned from Our hearts) and this house were near upon come to some result thereabouts much to Your Lordships Satisfaction as this house is assured and had only referred the final Debate thereof till such time as those three Bills had passed both houses that so we might not come Empty handed; yet upon the 27th Instant the upper house sent a Message to this house that the first of those two Bills (to witt) for the manner of Electing Burgesses &t prepared by the upper house was more Convenient for the Inhabitants (as the Upper house could Demonstrate) than that which was by this house Drawn and presented which this house cannot Imagine it to be and since the Difference is so small (as is there said) this house desired the same might pass in manner as this house requested and as to the other Bill touching the Levying of Warr &t the Upper house declared the same matter was already Provided for by Laws heretofore made and that to Enact a New Seemed to Interfeer with that Act which Empowers the Governor and Council to make Warr and peace with any Indian Enimy beyond the Bounds of this Province, and although this house is very Confident there is no such Law now in force yet to take off all Debates and Disputes formerly raised thereabouts for the future, This house hath the more reason to be Suitors to your Lordship to Consent to the passing the said two Laws, and to

Deferr this Sessions a little Longer that so this house may proceed to the perfecting the Bill for Advancement of Trade being now under Consideration and Amendment in a Material Point and then to Accomplish what is already begun and about which so much Charge & time has bin Spent. U. H. Journal 1659–98

Signed p^r^ Order C Boteler Cl of the Lower house

Cap^t^ Smith M^r^ Ennals & M^r^ Green from the Lower house with this Message

Lower house of Assembly 29th October 1683.

Your Lordships Most humble and Obedient Servants the Upper and Lower Houses of this Present Generall Assembly with all Imaginable Gratitude acknowledging Your Lordships great Love and Affection to the Good People of this Province Expressed in your Lordships Speech made to your two houses at the Opening this Sessions, and More particularly in Conveening this Assembly and appointing your Lordships Prov^ll^ Court to be held at this Place so near the Center of your Lordships Province for the great Ease and General Conveniency of the Inhabitants thereof Do with all Dutifull Affections hereby present to Your Lordship their most humble & hearty thanks and in further Demonstration of Our Gratitude Duty and Affection Do pray Your Lordships Acceptance of the Quantity of one hundred thousand pounds of Tobacco to be Levyed upon the Taxables of this Province this present Year; And do further pray your Lordship that you please to Signify to both houses at what place Your Lordship intends all future Assemblies Provincial Courts and Offices shall be held and kept. That a Committee of both houses may forthwith go out to Consult the readiest and best way of making Provision of Building fitt for the Reception and Accomodation thereof, and this house desire the Concurrence of the Upper house, p. 526

Signed p^r^ Order Tho: Grunwin Cl of Assembly

A Petition of Jacob Youngs wife read for taking off the Irons from her Husbands Leggs, And thereupon Ordered by this house that the Sheriff of S^t^ Maries County in whose Custody the said Jacob is take off the Irons from the said Jacob—

Coll Darnall sent to the Lower house with this Message

Upper house 29th October 1683—

This house do desire that some members of the Lower would Speedily Join with some Members of this house in Order to Draw up a Law to revive the Temporary Laws and that the law for Assessing the Publick Charge may be also Suddenly perfected so that both the same may be Engrossed

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before to Morrow Twelve a Clock at Noon for that his Lordship hath put of the Day of Sessions till to Morrow in the Afternoon at which time he is resolved to Conclude this Sessions of Assembly—

Signed p^r^ Order Tho: Grunwin Cl of Assembly

M^r^ John Rousby and Captain Hill from the Lower house with this Message

Lower house 29th October 1683

This house desire the Upper house to joyn with this house to pray his Lordship to give his Assent to the Bill Directing the manner of Electing Burgesses and the Bill Touching the Levying of Warr and Defraying the Publick Charge of the Province being two Bills so Absolutely Necessary to build Our peace upon, that his Lordships Condescention thereunto will assure us of Our future happiness and Tranquility under his Lordships Government. In Confident Expectation whereof this house have passed the Bill for Advancement of Trade

Signed p^r^ Order Tho: Grunwin Cl of Assembly

The said Messengers bring with them the Bill for Advancement of Trade past by the Lower house—

M^r^ Bartholomew Ennalls from the Lower house with this Message

Lower house of Assembly 29th October 1683

This house do appoint M^r^ Robert Carvile and M^r^ John Rousby Members of this house to Joyn with the Members of the Upper house to perfect and finish the Bill of Revivor of the Laws—

Signed p^r^ Order C Boteler Cl of the Lower house—

The Bill for Advancement of Trade read three times and in this house & past

Coll Digges goes to the Lower house with this Message Viz^t^

Upper house 29th October 1683

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This house have appointed Coll Vincent Lowe and M^r^ Secretary Darnall Members of this house to Join with M^r^ Robert Carvile and M^r^ John Rousby in a Committee for the Drawing the Bill of Revivall of the Temporary Laws

Signed p^r^ Order Tho Grunwin Cl of the Assembly

Coll Digges returnes and says the Lower house are Adjourned—

This house Adjourn till to Morrow Morning 9 a Clock

Tuesday 30th of October 1683 The house met again U. H. Journal 1659-98

Present

The Right Honourable the Lord Proprietary
The honourable

Coll Henry Coursey	Coll William Stevens
Coll Vincent Lowe	Coll William Digges
Coll Henry Darnall	Mr Secretary Sewall
Coll Thomas Tailler	Mr Secretary Darnall

Then was further Debated the Business of Mr Rousby and Spernon and his Lordship Requested Coll Henry Coursey Coll William Stevens Coll William Digges and Coll William Burgess that they would take the full Examination of both parties and the Evidences on either Side and report the whole State of the Case in writing to his Lordship; They go out—

The Bill for Regulating the Tares of Tobacco hogsheads read and assented to by this house.—

The house Adjourned for an hour then Sat again

Then Came into this house Coll Coursey Coll Stevens Coll Digges and Coll Burges with the Report of the Case between Mr Rousby and Spernon which was read in this house as followeth

To the Right honourable the Lord Proprietary

We the persons appointed by Your Lordship to hear and Report to you the State of the Case betwixt John Rousby Plantiff and Joseph Spernon Defendant touching two runaway Servants of the said Rousby do humbly present as followeth Vizt—

Imprs We applyed Ourselves to the Reccords to view the said Rousbys Writt and Declaration the Date of the Writt being the 14th of December 1680 the Return being the 15th of february following in which Declaration he Complains of a Tresspass upon the Case Damages 12000 lb of Tobacco for that the said Spernon had taken up two Servants or Runaways and by Misfeizance of his Office as Constable in not Carrying them before the next Justice of Peace according to Law where they might have been Secured but contrary brought them to his own house from whence they made their Escape by which Misfeazance he became so much Damaged—

2dly We find upon the Record that upon a Jury Raymond Stapleford being foreman the Verdict was given against the said Spernon 6000 lbs of Tobacco Damages and Judgment past by Default for the same in respect neither Spernon nor any Attorney appeared for him upon which Judgment Execution followeth &c:

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Spernons Answer—

1st He does own that being Advised by one of his Neighbours that Two Men that were Suspected Runaways were at the house of William Peirce and had bin there at work sometime upon which he being Constable went thither and Seized the said Servants and did carry them to his own house that Night and the next Day in the Morning a Master or Merchant that had bought Eight hogsheads of Tobacco sent him word immediately to come to him and take his pay for them for else he would be going away for he could not stay any longer upon which he owns he did go and did with what speed he could returne which was about two a Clock the same afternoon, But when he came home he found the said Servants Runaway upon which he pursued them to the said Prices but they espying him run into the Woods and he could not Catch them—

2dly To the Second he Answers, That he did appear at the Court and that the Jury Did bring in that Verdict but Robert Ridgley his Attorney being Sick and not Able to Come Judgment was given upon the Verdict, But the next day most of the Jury did Declare to the Court that their Intent upon the Verdict was that Spernon was to have the Servants if he could find them and pay the 6000 ll of Tobacco and Costs, Mr Carvile who was then Mr Rousbys Attorney did Declare to us (as Amicus Curiæ) That he heard the Jury say the same to be their Sense and that he understood it so, and did Verily Believe the Court did understand it so—

Likewise the said Spernon Alleadged (at the Tryal) to the Court and Jury, That the said Rousby had disposed of them and had received Satisfaction upon which the said Rousby put him to prove it, And the Chancellor Ordered him the said Spernon to produce that Evidence which the said Spernon was informed the said Edmund Sweatnam could therefore went to fetch him but he being gone from St Maries could not make proof as aforesaid and so Judgment past as is before Exprest—

And now may it please your Lordship We do offer to your Lordships Consideration what Observance We have made upon the Premisses Vizt

1st We find that there was a Misfeazance in the Constable that he did not carry the Two Runaways to the next Justice at his first Apprehending them unless the Excuse that he makes may be esteemed Good

2dly We find that Mr John Rousby had parted with his Interest to the said Runaways to Mr Peter Aldrick in Augt 1680 which was before the Suit was Commenced

3d We find that Mr John Rousby by an Instrument under his hand hath reced full Satisfaction of Mr Aldrick for the said

two Runaways paid by the Appointment of Coll Henry Coursey for and on behalf of the said Aldrick, and that payment was made in March 1680 which was before the said Suit Came to any hearing, Relation being had to the said Papers more at large will appear—In Testimony whereof We have hereunto put our Several hands— U. H. Journal 1659–98

Henry Coursey—William Burges
William Digges—William Stevens

By which Report it appears to his Lordship and this house, That the said Mr Rousby had disposed of the Servants before he Commenced the Suit and received Satisfaction for them before he Obtained the Judgment all which the said Rousby kept Secret both from Court and Jury at the Tryal, and put the said Spernon to the proof of it who then could not prove the same

Ordered by his Lordship and this house that the said Mr John Rousby shall not Practice as an Attorney in the Provincial Court of this Province nor any County Court in the said Province from henceforth, Untill such time as the said Mr Rousby shall fully acquitt release and Discharge the said Joseph Spernon his Execrs & Admrs from the said Judgment of 6000 ll of Tobacco and cost and all Debts dues and Demands relating to this Matter; and also shall Discharge Mr Edward English from the Judgment the said Rousby Obtained against him for letting the said Spernon Escape and from all Costs dues & Demands thereupon— p. 529

Coll Digges goes again to the Lower house with the Message he went with Yesterday about Joining in Committee for Drawing the Bill of Revivall of the Temporary Laws He returns—

Coll Stevens goes to the Lower house with this Message

Upper house 30th of October 1683—

This house have presented to his Lordship for Stay of the Day of Sessions for some Longer time whereupon his Lordship hath been pleased to sett Monday next for the Day of Sessions to the intent that all things now on foot in either house may be fully Debated & come to a fair and Amicable end which this house hopes is the wish and desire of the Lower house as well as this—

Signed pr Order Tho. Grunwin Cl of the Assembly

The said Messenger carries with him the Bill for Regulating the Tare of Hogsheads he returns—

Mr Secretary Darnall goes to the Lower house to acquaint them, That this house have appointed to Morrow Morning Nine of the Clock to hear the Errors before the Assembly—

U. H. Journal 1659–98 Captain Smith & Doctor Brooke from the Lower house with this following Message

Lower house of Assembly 30th October 1683.

This house acquaint the Upper house that the Members of this house appointed to Join in Committee with the Members of the Upper house for Drawing the Bill of Revivall are ready to attend their honours for the Business aforesaid—
Signed p^r^ Order C Boteler Cl of the Lower house of Assembly

Coll Stevens goes to the Lower house with the Message following

Upper house 30th October 1683—

The Secretarys of this Province have informed this house that several of the old Records of this Province concerning Land & the Inheritances of the People of this Province are so torn and injured, That there is great Difficulty to read them so that in a little time they be wholly useless to the great Damage of the Inhabitants thereof Therefore this house think it Necessary that the said Records be Transcribed into fair Books and that the Country pay and Satisfy for the same and this house desires a Concurrence of the Lower house therein

The house Adjourned till to Morrow Morning Nine of the Clock

Wednesday 31^st^ October 1683

The house mett again present as yesterday and Coll William Burgess

Then came into this house Jacob Young with three persons more as Securities Viz^t^ John Browning John Rycroft and George Beeston all of Cecil County Planters and the said Jacob Young became Bound to the Right Honourable the Lord Propriet^ry^ in the Sum of one thousand pounds Sterling,
p. 530 and the s^d^ Browning Rycroft & Beeston In the Sum of Two hundred & fifty pounds Sterling a peice to be Levyed on their Several Lands Tenements Goods and Chattles to his Lordships use Conditioned according to the Order of this house given upon his Sentence the 25th of October Instant

The said Jacob Young paying his fees Discharged—

Captain Osborn from the Lower house with this Message

Lower house of Assembly 31 October 1683

The Attorneys which are Members of this house are ready to come to Tryall upon the Errors according to the Appoint-

ment of the Upper house Yesterday and this house will forthwith Adjourn that the Upper house may have this Room as is desired— U. H. Journal 1659–98

Signed p[r] Order C Boteler Cl of the Lower house of Assembly

The house Adjourned to the Lower house Room to hear the Errors.

The house Sat again
Present

The honourable

Coll Henry Coursey	Coll William Burges
Coll Thomas Taylor	M[r] Secretary Darnall
Coll Vincent Lowe	M[r] Secretary Sewall
Coll Henry Darnall	Major Thomas Trueman
Coll William Stevens	

Collins— agt John Watkinson & Thomas Collins

Now here at this Day appeared before this house the said John Watkinson by Robert Carvile his Attorney and the said Thomas Collins by Thomas Burford his Attorney, and then was read all the proceedings Between the said Watkinson and Collins in the Provincial Court of this Province as the same remained upon file in this house and upon Record in the Provincial Court aforesaid; The Errors Assigned in the said Proceedings are as followeth

Thomas Collins agt John Watkinson

And the said Thomas Collins by Thomas Burford his Attorney saith that in the Records Proceedings and Judgment aforesaid so as aforesaid Given is Manifest Error and Assigneth for Error—

1[st] That whereas upon the issue aforesaid the Jury being to Trye the Matter in Controversy and having found the Matter in issue for the Defendant the Court hath given Judgment against the Defendant which said Judgment is Neither Warranted by the said Verdict nor by any Law or Authentick Precedent, No Judgment being to be given but upon Matter of issue found or Confessed—

2[dly] That the reasons Offered by the said Watkinson in Stay of the Judgment which should have been Given for the said Collins were altogether insufficient to stay or Arrest the said Judgment because the said reasons and the Matter therein Contained were altogether nuge frivolous and debase the Record and had they been Material and Sufficient to Stay the Judgment (which they were not) yet by no Colour of Law or reason could they be Capable to produce a Contrary Judgment against the party for whom the issue was found, And therefore this Sandy Judgment having no foundation in Law or reason is altogether Erronious and Void—

3[dly] The Judgment aforesaid is Manifestly Erronious because

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(as appears by the Record) It was given only on the Bare Allegation, That one Evan Carew who as appears by the Record Likewis was Elected tryed and Sworn as a Juror to trye the Cause aforesaid, was an Alien which said Allegation was never proved nor could such Matter being Extra the Record, and after the said Evan Carew with the rest of the Jurors had past his Verdict be put on Tryall the same Matter having been Tryed before as appears by the Record, for if the now Defendant would have taken Advantage of any such Matter he might he ought to have Challenged the said Juror before he had been sworn and in such Case the Law hath Provided a Suitable Tryall of the same, but if once the Jury be Sworn so that as the Record Saith they have been Elected tryed and sworn tis too late to make such Exception Especially against the said Evan Carew who for many Years hath born publick Offices in this Province and hath Very often passed his Verdict in Weighty Affairs which if this frivilous Exception should take place might Call in Question all such other Proceedings and therefore the Judgment aforesaid so as aforesaid Given barely on the Allegation that the said Evan Carew was an Alien after he had been Elected tryed and Sworne is Manifestly Erronious— T: Burford

The whole Matter being heard by this house it is thereupon Considered and it is the Judgment of this house, That the said Verdict of the Jury brought into the Iustices of the Provincial Court the 14th Day of October 1682 ought not to be sett aside nor Judgm^{t} thereupon Arrested, And it is further by this house Considered that the Judgment of the said Provincial Court thereupon given which was that the said Collins go without Day and pay Cost, was Erronious. It is therefore further Considered that the said Thomas Collins recover against the said John Watkinson his Cost and Charges in this behalf Sustained to such Value in and by this house shall be taxed. Yet Notwithstanding the Judgment aforesaid This house doth not by their said Judgment Determine or intend to Determine the Title of the Land in Question

The house Adjourn for an hour then sat again

Present

The honourable

Coll Henry Coursey, Coll Thomas Tailler, Coll Vincent Lowe } M^{r} Secretary Darnall, M^{r} Secretary Sewall

Thomas Trueman Esq^{r} agt Thomas Haggleton

Now here at this Day to wit the 31st Day of October 1683 Came before this house the said Thomas Trueman by Kenelm Cheseldyne his Attorney and the said Thomas Haggleton by Robert Carvile his Attorney likewise Came and then

was read the Proceedings as upon file in this house and upon the Record of the Provincial Court; The Errors Assigned by the said Kenelm Cheseldyne to be in the Record and the rendring the Judgment in the Provincial Court was also read which are as followeth U. H. Journal 1659–98

1st In That it appears by the said Record that the said Defendant Thomas Trueman was not brought into Answer the Plaint by due Process at Common Law

2dly It is also Error in that it appears by the said Record that the Proceedings was by Way of Petition whereas no freeman ought to be Outed of his Goods and Chattles unless it be brought into Answer, to wit by presentment Indictment or by Process made by Writts Originall and fore Judged of the same by Course of the Law against which if any thing be done it ought to be redressed and holden for None—

3dly It is also Error in that it appears by the said Record, That Judgment was Given before Enquiry first had by Jury or Judgment of Equalls or any Venire fac: issd forth to that end or any Plea Entred or issue Joyned, as also the whole Proceedings Defective as to the due formalitys required by Course of Common Law— p. 532

The whole proceedings being read and heard and the Pleadings on both sides It is the Judgment of this house that the aforesaid reasons are not Sufficient in Law to Condemn or make void the Judgment of the Provincial Court but that the same still stands Good and is Affirmed by this house and it is further Considered by this house that the said Thomas Haggleton recover against the said Thomas Trueman his Costs and Charges in this behalf Sustained to such Value as in and by this house shall be Taxed—

The house Adjourned till to Morrow Morning 9 a Clock

Thursday 1 November 1683 the house sat again

Present

The honourable

Coll Henry Coursey, Coll Vincent Lowe, Coll Henry Darnall, Coll William Stevens, Mr Secretary Darnall, Major Thomas Trueman

The Committee of Laws go out

Captain Smith from the Lower house with this Message

Lower house of Assembly 1 November 1683

His Lordship the Right Honourable the Lord Proprietary having at the humble Supplication of the Inhabitants of St Maries County Expressed his willingness as this house is

U. H. Journal 1659–98 informed that one of the Ports or Places Mentioned in the Bill for Advancem[t] of Trade appointed to be at Taunts or Bayleys Land in Brittons Bay should be Changed and Transferred to Brittons Neck nearer the Mouth of the said Bay his Lordship being Assured that the said Brittons Neck will be much more Convenient for the Inhabitants of those parts in Generall than the former, This house desire the Upper house to send down the said Bill for Advancement of Trade to be mended in that particular and this house will return the said Bill to the Upper house Amended in that part only Assented to by this house— Signed p[r] Order C Boteler Cl of the Lower house of Assembly

M[r] John Rousby from the Lower house and desires the Book of Laws, The same Delivered to him—

By Consent of Thomas Gerard Attorney for Gerard Slye and also by Consent of Robert Carvile Attorney of Abraham Blagg the Errors before the Assembly between the said Slye and Blagg are Continued till the next Assembly—

Major Trueman goes to the Lower house with this Message from this house Viz[t]

Upper house 1[st] Nov[r] 1683

This house hath read the Petition of Jacob Young and the account of the Sheriff thereunto Annext for his fees and do send the same to the Lower house for their Consideration—

Signed p[r] Order Tho[s] Grunwin Cl of Assembly

M[r] William Richardson and M[r] James Frisby from the Lower house with this Message Viz[t]

Lower house of Assembly 1 Nov[r] 1683

p. 533 The Petition of the Orphans of Henry Lewis being presented and read in this house and a Member of this house Affirming to this house that the said Orphans are Extreamly injured by the fraud of their said Father in Law, This house do desire the Upper house to take the said Petition into their Serious Considerations and give directions to the Judges in Testamentary Causes to do therein what by the Laws and precedents of this Province can be done for relief of the Petitioners and for Securing what Little remains of their Estate within this Province—

Signed p[r] Order C Boteler Cl of the Lower house of Assembly

The house Adjourned for an hour then Sat again present as before and Coll Thomas Tailler

A Petition of Sarah Harris read and referred to Coll Tailler the Persons Concerned Living in Ann Arundell County—

Coll Stevens goes to the Lower house with this Ensuing Message in Writing as followeth Viz[t] U. H. Journal 1659–98

Upper house 31 October 1683

This house received a Message from the Lower house of the 24th Instant wherein the Lower house Express their Thankfullness to his Lordship for his great Love and Affection towards the Good People of this Province Expressed in his Speech at the opening this Assembly and more particularly in Conveening this Assembly and appointing his Lordships Provincial Court to be held in this Place so near the Center of this Province and therein the Lower house did pray his Lordship to Signifie to both houses what place his Lordship Intends all future Assemblies Provincial Courts and Offices shall be held and kept at, That they might take speedy Course to make provision of Buildings fit for the Reception thereof—

This house have requested of his Lordship that he would be pleased to Declare his Mind and intention in the Matter aforesaid Whereupon his Lordship hath Declared to his two houses of Assembly that at what Place in Ann Arundell County there shall be Conveniencys built fit for the Reception of his Lordship and Council Upper and Lower houses Provincial Courts and Offices for Clerks, There his Lordshp his heirs and Successors Lords and Proprietaries of this Province will hold the Assemblies and Courts aforesaid for the future unless upon Occasion he or they shall think fitt that the same be removed, and that this Matter may receive more speedy Dispatch, This house do Nominate Coll Henry Darnall and Major Thomas Trueman Members of this house to Join with Members of the Lower house as a Committee for that Affair—

Signed p[r] Order Thomas Grunwin Cl of Assembly

He returns having Delivered the same to the Lower house

An Act of Gratitude and providing a Support for the Right Hon[ble] Charles &[t]

An Act for Ascertaining the true force and Validity of the Laws &[t]

An Act for Repeale of certain Laws &[t]

The same Acts read and sent down to the Lower house by Coll Tailer Coll Lowe Coll Darnall and Major Trueman with this Ensuing Message which is as foll. Viz[t]

Upper house 1 Nov[r] 1683

This house will Joyn with his Lordship in praying his Lordships Assent to the Bill Directing the manner of Electing Burgesses &[t] and one other Bill touching the Levying of Warr and Defraying the publick Charge of this Province as the p. 534

U. H. Journal 1659-98

Lower house by their Message of the 29th of October last past by Mr John Rousby and Captain Richard Hill have requested this house well assuring themselves that the Lower house will not refuse to Join again with this house in likewise praying his Lordships Assent to the three other Bills herewith sent them Vizt an Act Ascertaining the true force and Validity of the Laws of this Province &t An Act of Gratitude &t An Act for Repeale of Certain Laws also of very Great concern and Absolutely Necessary for the Peace and Quiet of this Province all which said severall Bills it is the desire of this house may be presented to his Lordship together for his Assent & Approbation as being most Desirous ready and Willing to go hand in hand with the Lower house in Matters of so great Moment and Concern to the Province and desire hereunto the Concurrence of the Lower house—

Signed pr Order Tho: Grunwin Cl of Assembly.

The aforesaid Messengers return having Delivered the said Bills & Message aforesaid

Captain Osborn and Captain Peirce from the Lower house with this Message

Lower house of Assembly 1 November 1683.

This house desires to know whether the Word Offices Mentioned in the last Message by Coll Stevens are intended the Secretaries Office & the Testamentary Office—

Signed pr Order C Boteler Cl of the Lower house of Assembly

In Answer whereof this house sent this Message to the Lower house by Coll: Darnall Vizt

Upper house 1st November 1683

For Answer of the last Message by Captain Osborne and Captain Peirce this house do say that by the Word Offices they mean the same Offices Expressed in the aforesaid Message of the Lower house

Signed pr Order Tho: Grunwin Cl of Assembly

Mr Hall and Major Weeks from the Lower house with this following Message

Lower house of Assembly Novemr 1st 1683

This house have appointed Mr Richard Hall Mr Clement Hill and Major Joseph Weeks to Join in Committee with the Members of the Upper house to Consider of Buildings for Reception of Provincial Courts and Offices as by the last Message from the Upper house by Coll Stevens is desired—

Signed pr Order C Boteler Cl of the Lower house—

The Committee of Accounts go out— U. H. Journal 1659–98
Coll Stevens goes to the Lower house with this Message—

Upper house 1 November 1683
In Answer to a Message this Day brought by Captain Henry Smith to this house touching the request of the Inhabitants of S[t] Maries County Do say that this house is not att all knowing of his Lordships Intention that way, and therefore are not willing to have the Act Altered in any part, but if the Lower house think to Draw a Suppliant Bill for the Ease or more Conveniency of any the Inhabitants of this Province they are willing to Join in the same
Signed p[r] Order Tho: Grunwin Cl of Assembly

A Petition of James Yore read in this house for Allowance in the Publick of 6478 the same underwritt as followeth

Upper house 1 November 1683
This house have Considered the Petition & do believe the Sum Petitioned for nor any part thereof was ever yet Allowed p. 535 and desire the Lower house would again Consider the said Petition so that the Credit of the Publick be Maintained—
Signed p[r] Order Tho: Grunwin Cl of Assembly—

The Same sent to the Lower house by M[r] Secretary Darnall
The house Adjourned till to Morrow Morning 9 a Clock

Friday 2 November 1683 The house Sat again
Present
The honourable { Coll Coursey, Coll Lowe, Coll Stevens } { Coll Burges, M[r] Secretary Darnall }

A Petition of M[r] Garret Vansweringens read and referred to the Committee of Accounts—
M[r] Richard Hall & M[r] William Richardson from the Lower house with this Message Viz[t]

Lower house 2[d] November 1683
Upon the Consideration of the Petition and Account of Jacob Young sent this Day to this house by the Upper house this house doth Answer that if this house can be assured That the said Jacob Young will forthwith Depart this Province and go for Holland or any other Part of Europe and first give good and Sufficient Security that he will never return to any part of America that then this house will be willing to Contribute towards the Payment of his fees, That he may be forthwith Discharged Otherwise it is the Opinion of this house that the

U. H. Journal 1659–98 said Jacob pay his fees due to the Sheriff according to the Act of Assembly

Signed p^r^ Order C Boteler Cl of the Lower house—

Captain Hill and Major Long from the Lower house with this Message

Lower house of Assembly 2 November 1683

In the last line Except two of the first Sheet of the Act Ascertaining the true force and Validity of the Laws of this Province &^t^ after the words Twenty Months lett there be Inserted the words following (after the End of such Sessions of Assembly in which such Law or Laws Act or Acts shall be made as aforesaid) The said Law or Laws as in the said Bill &^t^

And be it further Enacted by the Authority aforesaid that all and every Law and Laws Act and Acts of Assembly which at any time heretofore have passed the Upper and Lower houses of Assembly in this Province with the Assent and Approbation of your Lordships Lieutenant General Deputy Lieutenant or the Governor or Governors of this Province for that time being during your Lordships Absence out of this Province the same Laws are and shall be held Esteemed and taken and are hereby Declared to be good Valid most Absolute and Available in Law according to the true intent purport and Meaning of the Same (such Laws to which your Lordships Dissassent hath been already Signified & published to both Your houses of Assembly only Excepted—

If the Upper house think it Necessary that the Amendment above Mentioned be incerted into the Bill Ascertaining the true force and Validity of the Laws of this Province this house will forthwith pass the said Bill to Engrossment accordingly

Signed p^r^ Order C Boteler Cl of the Lower house

The said Messengers bring with them the aforesaid Act for Ascertaining the Validity of the Laws & the Bill Concerning Levying of Warr &^t^ past by the Lower house—

p. 536 Captain Smith and M^r^ Hatton from the Lower house and bring M^r^ Larkins Rates put Down in his Account the same Rates perused and Agreed to by this house and sent to the Lower house by M^r^ Secretary Darnall—

The house Adjourned till to Morrow Morning 9 a Clock

Saturday 3^d^ Novem^r^ 1683 The house Sat again

Present

The honourable

Coll Thomas Tailler	Coll William Stevens
Coll Henry Coursey	M^r^ Secretary Darnall
Coll Vincent Lowe	Major Thomas Trueman
Coll Henry Darnall	

Coll Henry Darnall goes to the Lower house with this Ensuing Message U. H. Journal 1659–98

Upper house 3d November 1683

For further Answer to the Message of the Lower house yesterday by Captain Richard Hill and Major Thomas Long, this house to that part thereof yet unanswered Do say that the same to them seems too General and therefore cannot Concurr therewith there having been a Settlement already Made of all Laws to the year 1678 by an Act Entituled an Act for Repeale of certain Laws and also for Ascertaining what Laws are in force within this Province Since which there hath been but one Sessions of Assembly wherein his Lordship hath not been Personally present to Signify his Lordships Assent, And the Laws then passed fall under Severall Qualifications some perpetuall and some Temporall and of them some of them either fallen Disassented to or Repealed most of the Temporary Laws have been so farr approved of and Deemed so Necessary as to be Confirmed every Assembly Since that and are Contained in the Reviving Bill now prepared, Those Laws which may be thought to want Confirmation are perpetuall and of them some publick and Some private and are as followeth, Vizt An Act for keeping holy the Lords Day An Act for the due Recording of all the Laws of this Province in the Secretaries Office; an Act for the Limiting the County Clerks fees within this Province, An Act for the Naturalization of Joshua Guibert An Act for Naturalization of James Pean Magdalen his Wife Ann Pean his Daughter & Jacob Lockerman An Act for Investing a Title of Land in Mary Ward of Talbot County as She is Executrix of Matthew Ward an Act for payment and assessing the publick Charge of this Province An Act for punishing of Edward Husbands for Cursing and Menacing the Assembly all which Laws if the Lower house think fitt this house will readily Concurr with them to have the same inserted in the Bill Ascertaining the True force and Validity of the Laws of this Province and hope it will fully Answer the Message of the Lower house—

Signed pr Order J LLewellin Cl Asst to the Assembly.

Coll Darnall returns and Says he has Delivered the Message

Then was the following Message to the Lower house by Mr Secretary Darnall Vizt

Upper house 3d November 1683

This house having Transmitted to the Lower house on the first Instant three Bills for their Consideration Vizt An Act of Gratitude &t An Act ascertaining the True force and Validity

U. H. Journal 1659–98 p. 537

of the Laws &t and an Act for the repeale of certain Laws two whereof remain Suspended in the Lower house, This house desire them to take the same into their present Serious Debate and to Signify their Answer to this house by their Concurrence thereunto To the End that both houses may Jointly and readily proceed to the dispatch of all Business before them by such time as his Lordship hath been pleased to appoint to Conclude this Sessions

Signed pr Order J LLewellin Cl Asst to the Assembly

The said Messenger returns having Delivered his Message Captain Smith from the Lower house and desires the Bill Ascertaining the Laws &t which is delivered him and he delivers the following Message—

Lower house of Assembly 3 November 1683.

The three Bills in the last Message by Mr Secretary Darnall Mentioned are now under the Consideration of this house and will give Answer thereunto as soon as possibly they can this house equally desiring the Dispatch of all Business before them with the Upper house

Signed pr Order C Boteler Cl of the Lower house

Mr Carvile from the Lower house with the Book of Laws and the first Message of this house by Coll Darnall and says they have Examined the same and Compared with the Book and find them all rightly placed only one Act for repeale of certain Laws made at an Assembly in the time of Governor Notley which if this house please to incert in the Act for Ascertaining the laws now drawn with the rest their house will Concurr with this house therein

Mr Carvile from the Lower house and acquaints this house That his Lordship had been in this house they were Sensible Since the Bill drawn up for Repeale of Certain Laws and therefore cannot but be acquainted therewith and they think their last request so reasonable that his Lordship will easily Assent, and do say that unless this house can concurr with them in Writing in the Law now drawn up for Ascertaining the true force of the Laws &t as they have requested they cannot proceed to perfect the Bill—He returns with Answer that this house will send by Messenger of their own—

The house Adjourned for an hour then Sat again present as before

Coll Stevens sent to the Lower house to discourse them by word of Mouth Concerning the Exception made by them to the Message of this house touching the Bill Ascertaining the true force and Validity of the Laws &t

Came Mr Attorney General for Thomas Collins and prayed the Taxing of Cost upon Errors Inter said Collins and Sawyer as followeth Vizt U. H. Journal 1659–98

John Watkinson agt Thomas Collins } Cost in the Action of Ejectment

To Appear and Impl	20	
To Copy Decl	64	
To filing Plea	16	
To Rule for Admitting the Defendant	56	
To Copy of the first Order of Resurvey	160	
To Copy of the Second Order Resurvey	260	
To Copy of the Return thereof	96	
To Copy of issue	32	p. 538
To Searching the Records in the Land Office	400	
To Venire fac: and Return	28	
To Order for time to Arrest Judgment	30	
To the Sheriff for Summoning and Impanelling Jury	120	
To the Cryer for Swearing the Jury	156	
To the Jury	120	
To Subpena for Richard Harrington	38	
To his Attendance 15 Days	450	
To Attorney fee	400	
To Filing Bill Cost	16	
To Execution and return	28	
To Copy of the reasons for Arrest of Judgment	172	
	2758	

Thomas Collins agt John Watkinson } Cost allowed in the Upper house

To the Chancellor for Seal of the Writt of Error Supersd & Certior	720	
To the Secretaries for Vizt		
To return Proceedings by Certiorary into the Assembly	848	
To Petition & Order Writt of Error Sci: fac: and Certiorary	96	
To Writt of Error Sci: fac: & Superseds	150	
To Security thereupon given	60	
	1154	
To the Sheriff for Serving Writt Sci: fac: & Superseds	200	
	4832	

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To the Clerk of the Upper house Viz[t]

Recording the Transcript of the Provincial Court 53 Sides	2544
To Copy thereof	2544
Recording Errors thereof	192
Entring Judgment	48
Bill Cost	48
Execution	84
To Attorneys fees	1600
To the Door keeper Upper house	100
Sum Total	11992

Allowed of in the Upper house this 3[d] Day of November 1683

John LLewellin Cl Ass[t] of the Assembly

Coll Stevens returns from the Lower house—

Came M[r] James Frisby from the Lower house for the List of Tithables which are delivered him and he returns to their house

Coll Lowe hath leave to Absent himself till to Morrow—

A Message from the Lower house p[r] Major Thomas Long & M[r] Ennalls which they Deliver in writing and return being as followeth Viz[t]

Lower house of Assembly 3 November 1683

This house is very willing to Concurr and Agree with the
p. 539 Upper house in passing an Act for Ascertaining all Laws made or that shall be made in the Absence of his Lordship and not yet Disassented to, if the Upper house be Willing to Assent thereunto, But to draw up a Law short of that and Wittingly and willingly to leave so many Laws at an uncertainty as Necessarily will be by leaving out the Act of Repeale made in Anno 1678 This house Conceives no ways becomes the Prudence of both houses especially at a time when pretention is made to Settle and Ascertain the Same

Signed p[r] Order C Boteler Cl of the Lower house of Assembly

M[r] Thomas Burford M[r] Hatton M[r] Ennalls M[r] Green M[r] Adams & William Richardson from the Lower house, They deliver a Bill Entituled an Act for Continuing the Payment of two Shillings p[r] hhd during the Life of the Honourable Leonard Calvert Esq[r] Son and heir of the Right honourable Charles Absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltimore &[t] in Case he Survive his Lordship Assented to by the Lower house

Came M[rs] Young the Wife of Jacob Young with James

Philips and John Cox whom she tendered for Security to become bound to his Lordship in a Bond Conditionally That the said Jacob shall go out of this Province and never more Return without leave of his Lordship; Two Months time given for his Departure— U. H. Journal 1659–98

Ordered that the same be proposed in a Message to the Lower house—

Upper house 3 November 1683

Mrs Young having Besought this house to Accept of Mr James Philips of Baltimore County and John Cox of Cecil County as Security for her Husband Jacob Young That he shall within Two Months Transport himself out of this Province into some part of Europe and never any more return into this Province or any other part of America without Special Licence from his Lordship and the Two houses of Assembly This house have thought fitt to Move the same to the Lower house for their Approbation before this house give their Result therein

Signed pr Order J LLewellin Cl Asst to the Assembly

Sent by Coll Stevens he returns

Voted whether the Bill last received from the Lower house Concerning the Two Shillings pr hhd pass this house or not, Voted by the Major part that it pass and was Signed thus

3 November 1683

Upper house have Assented

Signed pr Order J LLewellin Cl Asst to the Assembly

Mr Secretary Darnall sent to the Lower house for the Bill Entituled an Act of Gratitude &t drawn up by this house

Mr Hatton & Mr Hutchins from the Lower house with the following Message which the Deliver and Return Vizt—

Lower house of Assembly 3 November 1683

The Upper house having promised to Join with the Lower house as by their Message the first Instant in praying his Lordship to Assent to a Bill directing the manner of Electing of Burgesses &t and one other Bill touching the Levying of Warr and Defraying the Publick Charge of the Province

This house do now desire the Upper house to Send down their Assent to the said Two Bills being the only proper and Parliamentary way (as this house Conceives) to pray his Lordships finall Assent to the same p. 540

Signed pr Order C Boteler Cl of the Lower house

Mr Secretary Darnall returns with the Bill of Gratitude &t

U. H. Journal 1659–98

A Message from the Lower house by Major Long and Doctor Brooke which they Deliver and return Viz[t]

Lower house of Assembly 3 November 1683

The Members of this house Joined in Committee for Reviving the Temporary Laws Reporting to this house That the Members of the Upper house of the same Committee will not Consent to the Reviving of the Act for killing, This house therefore moves the Upper house to assent to the Revivall of the same the said Act standing as a Temporary Law in the Book of Laws

Signed p[r] Order C Boteler Cl of the Lower house of Assembly

Upper house 3[d] November 1683

The Act for killing of Wolves this house doth say Stands in the Book of Laws as a Perpetuall Law, but in Testimony of their hearty Inclinations fairly to Correspond with the Lower house in all things reasonable are willing to Reduce the same Act to its former State as is desired by the Lower house—

John LLewellin Cl Ass[t] of Assembly

Sent by M[r] John Darnall who is desired to request the Lower house's Answer to the Message Concerning Jacob Young to be sent to this house so soon as they cann for that his Securitys wait for that Purpose; he returns.

A Message from the Lower house by M[r] Carvile and M[r] Richard Hall and bring an Act for the Court house with the Names of the Commissioners thereunto Appointed the Message as followeth

Lower house of Assembly 3 November 1683

This house having taken the last Message Concerning Jacob Young into their Serious Consideration do say that if the said Jacob Young with his Securities in the Message aforesaid Named will stand Obliged for his Immediate Transportation for Europe or be Confined to some Credible house in Ann Arundell County for Some reasonable time untill he can take Shipping not Exceeding Two Months and that he shall not return into this or any Neighbouring part of America with out the Consent of his Ldp and both houses of Assembly then this house is Content therewith and will Advance some Tobacco Towards the Payment of his fees if the Upper house will Concurr therein

Signed p[r] Order C Boteler Cl of the Lower house.

Came M[r] Robert Carvile from the Lower house desiring to have the Bill for Reviving the Temporary Laws which is delivered him & he returns

The Act for Erecting and Building of a house for the Conveniency of holding Courts of Judicature Sitting of Assemblys and for the keeping of the Secretaries Office Land Office and Testamentary Office in & for this Province Read U. H. Journal 1659–98

A Message from the Lower house by Mr Hatton and Captain Peirce being a Bill for reviving the Temporary Laws of this Province and saith they cannot finish the Bill for the publick Charge till Monday Morning—

The Commissioners Names appointed to Survey and Manage the Building the Court house Vizt p. 541

Coll Thomas Tailler	George Yates	Edward Darcy
Coll William Burges	William Richardson	John Sollers
Major John Welsh	Richard Hall	Henry Ridgley
Thomas Francis	Nich: Gassaway	Richard Beard
Richard Hill	Henry Constable	Edward Burges

Mr Clement Hill desires to know whether this house have any thing to offer to the Consideration of the Lower house

This house returns that they have not any thing The said Mr Hill returns—

Coll Darnall sent with the Bill concerning the Court house which this house say they should better like if two Chimneys had been incerted; He returns

The house Adjourned till Monday Morning 9 a Clock

Monday 5th Novemr 1683 The Upper house Met.

Present

The Right Honourable the Lord Proprietary

The honourable

Coll Thomas Tailler	Coll William Burges
Coll Henry Coursey	Mr Secretary Sewall
Coll Vincent Lowe	Mr Secretary Darnall
Coll Henry Darnall	Major Thomas Truman
Coll William Stevens	Coll George Talbot

A Message by Mr Burford Major Long Major Hutchins and Mr Ennalls Vizt

Lower house of Assembly 5th Novr 1683

This house by a Message Dated the 29th Day of October last past for reasons therein Mentioned desired that one hundred thousand pounds of Tobacco might be Levyed this present year and presented to his Lordship to which the Upper house hath not yet made any Answer, Therefore this house do again Move their Concurrence therein that the Bill for Payment of the Publick Charge may be finished this Evening

Signed pr Order C Boteler Cl of the Lower house

U. H. Journal 1659–98

Upper house 5th November 1683

His Lordship being present in this house at the receipt of the last Message by M^r^ Burford &^t^ Returns his thanks to both houses of Assembly for their kind tender made therein, But Considering the great Charge the Country hath already been at hath not thought fitt to accept thereof at present which this house do Signifie to the Lower house as an Answer to the said Message—

Signed p^r^ Order John LLewellin Cl Ass^t^ of the Assembly

Sent by Coll Darnall & Major Sewall; They return

Upper house 5th November 1683

The Lower house is desired to Transmitt to this house, all such Bills before them as have passed both houses for their Review and that they will prepare all things in a readiness to Morrow Morning for his Lordship to Conclude this Sessions

Signed p^r^ Order John LLewellin Cl Ass^t^ to the Assembly

Sent p^r^ Coll Stevens he Returns

p. 542 A Message from the Lower house by M^r^ Addams and M^r^ William Peirce with Several Bills which they Delivered Viz^t^

An Act providing in Case of Sudden Accidents in the Governor

An Act Regulating the Tares and abuses in Tobacco hhds

An Act Prohibiting the Imbezelling the Lord Proprietarys Ordinance Arms & Ammunition

An Act Limiting the Extent of Attachments and Executions

An Act for Naturalizing John Cozens Peter Maise De Moisne & Andrew Matson

The same together with the following Bills Delivered his Lordship Viz^t^

An Act for the Continuing of the payment of the two Shillings p^r^ hhd &^t^

An Act for the Reviving of the Temporary Laws of this Province

An Act for Naturalization of Andrew Poulson &^t^

An Act for Naturalization of Nicholas Verbrake

An Act for Advancement of Trade.

The house Adjourned till to Morrow Morning 9 a Clock

Tuesday 6th November 1683

The Upper house mett present as Yesterday

Coll Darnall sent to know of the Lower house whether they be ready to Attend his Lordship, He returns with Answer that they will send a Messenger of their own

M^r Carvile from the Lower house desires this house to appoint some of their Members to join in Conference with some of the Members of the Lower house touching the purport of Coll Darnalls last Message they having severall Bills and Business before them U. H. Journal 1659–98

Upper house 6th November 1683

The last Verball Message of the Lower house by M^r Robert Carvile Desiring some of the Members of this house to Joyn in Conference with some of theirs, this house Conceives too generall and desires the Lower house will render themselves more particular by informing this house what it is they would Conferr about before such time as this house can appoint any of their Members to that purpose, his Lordship being now present in this house and pressing to Conclude this Sessions

Signed p^r Order J LLewellin Cl Ass^t to the Assembly

Sent p^r M^r Secretary Sewall he returns
A Message by M^r Carvile & William Richardson Viz^t

Lower house 6th November 1683

This house desire the Upper house to Send down all such Bills as have been Assented to by both houses that the Speaker may present them to his Lordship as always heretofore hath been used, and that the Upper house please to Send their Answer to the Bill last Night sent, for Providing a Building &^t In the Body whereof is proposed the Levying of 50000 ^ll of Tobacco this present year till when this house cannot perfect the Bill for paying the publick Charge

Signed p^r Order C Boteler Cl of the Lower house

The Bill for reviving the Temporary Laws read & Assented to by this house

Upper house 6th November 1683 p. 543

His Lordship being Moved by this house to Nominate a Place for the Court house &^t Doth say and Declare that when a Conveniency shall be provided in South River in Ann Arundell County Sufficient for Reception of his Lordship and Council and for holding of Assemblies and Provincial Courts and the severall and respective Offices thereon Depending his Lordship will make use thereof for such Ends so long as he shall see Convenient

Signed p^r Order J LLewellin Cl Ass^t of Assembly

Sent p^r Coll Stevens

U. H. Journal 1659-98

Upper house 6th November 1683

The Lower house is desired to Joyn with this house in a Vote to be Entered on both their Journalls for Asessing and raising some Tobacco to be deposited in the hands of such Commissioners as they shall appoint for the Building of a Court house &t as to the Dimentions thereof (according to the Bill Drawn up by the Lower house) they may Regulate themselves

Signed p^r^ Order John LLewellin Cl Ass^t^ of Assembly

The house Adjourned for an hour then met Again

Coll Sent with the Act for the publick Charges to the Lower house & to desire them to Consider of Allowance to be made the Cl Ass^t^ of this house, he carrys also the Severall Bills in this house and the foregoing Message

M^r^ Burford Attorney for Thomas Collins moves this house for an Order That Execution may issue for the Cost Recovered by Collins against Sawyer in a Writt of Error

Ordered that the Clerk of this house issue out Execution at any time when required

Jacob Youngs fees Settled and Allowed as followeth

Jacob Young D^r^—

To his Imprisonment from the 10th of September 1682 to the 31^st^ of October 1683		8300
To John Higdon his keeper from the 10th of Sep^r^ 1682 to the 10th of October 1683		440
To D^o^ his Dyet and Lodging		440
To five Men his Guard at S^t^ Maries from the 23^d^ of Octo^r^ to the 16th of November		1240
To two pressed as a Guard by the Late Chancellor to carry him to the Sheriff		600
To John Higdon & William Taylors Attendance on him		620
		11640
To John LLewellin Clerks fees Allowed	1200	
To Thomas Grunwin Clerks fees Allowed	800	
		2000
		13640

Allowed of in the Upper house of Assembly the 6th Day of Novem^r^ 1683

Signed p^r^ Order John LLewellin Cl Ass^t^ of Assembly

Coll Darnall returns and says they will send an Answer

M^r^ Clement Hill from the Lower house with this Message

Lower house of Assembly 6th November 1683 U. H. Journal 1659–98

This house think Necessary that Mr Thomas Grunwin Cl of Assembly haveing been Allowed his full Sallary, that he Allow Mr LLewellin what he Deserves for his Service to the Upper house—

Signed pr Order C Boteler Cl of the Lower house— p. 544

The Bill also for payment and Assessment of the Publick Charge of this Province Returned by Mr Hill to this house; The same read and passed this house and Sent by Mr Darnall—

Major Trueman Sent to give his Lordship Notice that the Two houses were ready to Attend him Mr Darnall returns

Major Trueman returns and Says his Lordship is Coming His Lordship Enters Major Sewall sent to the Lower house to acquaint them that his Lordship was Come he returns and says they will waite on his Lordship—

The Speaker and Members of the Lower house Enter this house; The Speaker presents the following Bills to his Lordship Vizt

The Act concerning his Lordships Ordinance his Lordship saith that there hath been already an Act made Strict enough but hath not Deterred the Doing thereof & therefore doth not think fit to pass this—

The Act providing against Sudden Accidents, his Lordship Conceived he had Provided well enough in that Case already and therefore Waved that Act—

The Act for Reviving the Temporary Laws his Lordship upon perusall thereof doth find that an Act for killing Wolves a Good and wholesome Law & therefore made a perpetuall Law, is Contrary to reason now made Temporary by this Act of Revivall; If they require time to Transcribe over the Laws again rather than lose the rest of the Temporary Laws, his Lordship will give them time

The Act of Gratitude, his Lordship renders thanks for but not knowing whether the same may be any kindness to his Son, his Lordship leaves it to him to accept of the kindness (if any)

They are desired to go and Amend the Bill of Revivall &t desiring not to lose the other Temporary Laws

They move for Amendment of the Act for Trade instead of the place already in Brittons Bay for Another but for want of time is denyed and not further pressed

They are desired to go and Amend the Bill of Revivall and go

The Speaker and Lower house come again into this house and the Speaker brings with him the Reviving Act which he presents and Says, he was Commanded by the house to present

U. H. Journal 1659–98 the Bill to this house their house being Sensible, That the Act for killing of Wolves was a Temporary Act, and his Lordship and this house did Acknowledge that it was a good Law, and therefore desired, That it may now be Revived by this present Reviving Bill

His Lordship requires their Positive Answer whether they will Consent to the Amendment of the Act for as now it is his Lordship cannot Assent to it

They hope that for so meane an Act as that for killing of Wolves, his Lordship will not wave an Act of so great Moment as the Reviving the Temporary Laws of this Province—

They desist further Discoursing and that Bill is laid aside and his Lordship takes the remaining Bills into his hands—

An Act for Advancement of Trade

p. 545 An Act for Naturalization of John Cosins

An Act Regulating the Tares and Abuses in Tobacco hhds

An Act Limiting the Extent of Attachments

An Act for payment & Assesment of the Publick Charge &ᵗ

Which passed in these Words 6th November 1683

We will these to be Laws— C: Baltimore

And passed the Great Seal thus

Published under the great Seal of this Province this 6th Day of November 1683

The Speaker in behalf of himself and the whole house Moves his Lordship that the Temporary Laws may not fall

His Lordship that the Temporary Laws may not altogether fall Adjourned the Assembly till the first Tuesday in April next

And Accordingly the Assembly was Adjourned

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY

OF MARYLAND,

At a session held at the Ridge in Ann Arundel County, October 2–November 6, 1683.

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

HIS LORDSHIP IN PERSON.

THE LOWER HOUSE OF ASSEMBLY.

Journall
of Assembly
Sessions
Holden att the Ridge in Ann Arrundll the Second day of October in the Eighth Yeare of the Right Hono^ble Charles Absolute Lord and p^rvinces of Maryland and Avalon Lord Baron of Annoque Domini 1683:

Tuesday October the 2^d 1683

The house and Called and the members all present Except Majo^r Joseph Weekes and M^r Henry Hosier Delegates for Kent County and M^r Henry Johnsone and M^rMiles Gibsone Delegates for Baltemore County:

M^r Speaker and the members of this house were by a messenger Conveend before his Lōp in the vpp^r house where his Lordsp: set forth in A Speech to both his houses The great good and benefitt, and the many Advantages that might Accrue to this province by Erecting Townes, ports, and places of Trade, within the Same As allsoe the bringing in of Mony into this province And Desires both his houses To Consider of best wayes and meanes to doe the Same, his Lordshipp Assureing both houses that there shall be nothing wanting in him to Incourage & ffurther the Same w^ch his Two houses Can reasonably Devise for the good & benefitt of his Lōps good People. And Soe desires the Lower house to Returne to their Owne and Seriouly Debate and Consider the Same as the business of this Assembly:

The Lower house returne and Make Choyce of the great room: at John Larkins Commonly Called the Court roome; to Sitt in for this meeting of Assembly:

Where M^r Speaker haveing Taken the Chaire, Charles Boteler produceth a pattent vnder the Lesser Seale of this province Signed by the Right Hono^ble The Lord Proprietary ffor the Clerkeship of the Lower house of Assembly w^ch being read: was Admitted by this house.

Then was Joseph Norwood Admitted Dorekeeper of the Lower house

The house Adjournes Till To Morning Nine A Clock

L. H. Journal Original. p. 2

Wedensday October the Third 1683

The house Called and all present as yesterday

Mr Hosier enters the house.

Mr Henry Hosier Comes Into the house and desires to be Excused for not Coming yesterday he alsoe Sayes that Majo[r] Weekes the Other Delegate for Kent County is very Sick and not in cōn to Attend this house

Then was read what was D day

Then was read the Rules and Orders red to be Transcribed And Sett vp within this house this house vpon all Occasions to peruse, Which are as

Lower House of Assembly

Rules and Ord[r] of the Lower House

Rules and Orders of the Lower house Delegates within this house.

It is this day Ordered by the Burgesses now Assembled That these rules and Orders Burgesses and Delegates now Assembled and by the Clerk this Sessions of Assembly:

1 That Noe burgess Deputy or Delegate member of this house Revileing Speeches Or Name any one by his proper Name Significaccōn (Viz[t]) the Gentleman that Spoke last or the like

2 That noe One Speake above Once at a reading, to any bill Speaker, And if Two persones Or more Rise vp together the Speaker shall appoynte who shall Speake first and Noe One may Interrupt another speake till the Other hath Ended

3: That none Shall Deliver his Opinion or Speake sitting to Any But shall stand vp and reverendly direct his Speech to the Speaker.

4: That every bill proposed to the house shall be read three severall dayes before it be Ingrossed, and that between every reading One day shall be Intermitted vnless vpon very vrgent Occasion M[r] Speaker with the Consent of the house shall Dispence therewith, & then One being read twice at One Sitting shall be Sufficient as read Two Severall dayes & times when soe Entered vpon The Clerkes Journall.

5: That noe One shall Come Into the house of Assembly whilst the house is Sitting with a Sword, Or other weapon but shall put the same Into the hands of the Dorekeeper Or Other persone Appoynted thereto vpon penalty of a fine as the Speaker Deputyes and Delegates shall thinke fitt:

6: Any of the members bound to Attend this Assembly who shall be absent from the house at the hour and place Appoynted after the Number of Eleven of them and the Speaker According

to the Ord[r] for Settleing the house shall bee ffined according to the Discretion of the house vnless vpon Lawfull Excuse and Admitted by the Speaker L. H. Journal Original.

7: All misdemeanours w[ch] shall happen within this house shall be Censured and fined In this house.

:8: When any bill is presented And Noe One makes objection Therevnto M[r] Speaker shall appoynt any one member to speake to the sayd bill and Deliver his opinion first and soe in order as M[r] Speaker shall thinke ffitt p. 3

:9: That Dureing this Assembly one whatsoever either deputy Burgess Delegate or Clerke sh Or make relaccōn of any words spoaken in that otherwise vpon debate or Conference vpon penalty of thinke ffitt.

:10: That bill Dureing this Sessions of Assembly but first Called Into the house.

:11: Delegate nor Clerke Dureing this Sessions of Tobacco in the house whilst the house is of being fined Or Censured as the house shall

Signd p Ord[r] C. Boteler Clk of the Low[r] house of Assembly

Rules were Sett vp according to Order

M[r] Carvile sent for the Journall

Carville was sent to the vpp[r] house for the Journall of the Lower of this Assembly

sayes his Lōp will send it p[r]sently:

The Clerkes Oath sent downe

Came M[r] John Darnall and brings with him the forme of the Oath for the Clerk of the Lower house, and delivers the same to M[r] Speaker & Desires the may be sent the Vpper house to be sworne

Ordered that the Clk of this house Take the Oath of Clk of this house And th[t] M[r] Thomas Burford and M[r] Henry Hosier Goe to the vpper house and see the same Administred to him

The Clk sworne

They returne and report that the Clerke was Sworne vpon the holy Evangelists, and that his Lōpp will send a Coppy of the Oath p[r]sently

Then Came M[r] John Darnall from the vpp[r] house, and brings a Coppy of the Clerkes Oath of this house as followeth:

Oath of the Lower house Clerke.

You shall Swere that you will faithfully Serve the Right Hono[ble] the Lord proprietary and the Lower house of Assembly in the Office of Clerke of the sd Lower house to the best of yo[r] skill Cunning and knowledge, And that Dureing your Continuance in the sayd Office you will ffaithfully and truely enter and record the Orders, Rules and proceedings of the sayd house And that you will not divulge nor discover the Debates and secretts of the sayd House w[th]out the Consent thereof:

L. H. Journal Original. Which Coppy was Subscribed as foll:
October the 3d 1683:
Sworne In the vppr house of Assembly
Signd p Ordr
Thomas Grunnwin Clerke
of Assembly

p. 4 Mr Speaker and the members proceed To the Setleing the house And there being wanting of the members Major Joseph Weikes Capt Henry Johnsone and Mr Miles Gibsone
The Delegates prsent wer[e as fo]lloweth
Coll Phylemon
Mr Robert Carvile
Mr Leonard Green
Mr Clemment Hill
Mr William Hatton
Majr Joseph Weikes
Mr Henry Hosier
Mr Richard Hill
Mr William Richardsone
Mr Richard Hall
Mr ffrancis Huttchings
Mr Henry Addams
Mr Thomas Burford
C
Doctr Jo
Mr Ba
Mr Ja
Capt William Peerce

The house Settled Then it was putt to the Question what number of the Assembly shall make a house for this Sessions
Voted that Eleven memberes and the Speaker ma house for this prsent Sessions of Assembly:
Voted that a Committee of priviledges & Eleccons be Appoynted to enquire of such matters as are usually enquired of by Committees of that kind:
Committee of priviledges & Eleccons. mr Robert Carvile and Capt Henry Smith Appoynted for a Committee of priviledges and Eleccons:
Voted that Committee for Incouragement of Trade be Appoynted
Committee for Incouragemt of Trade Mr Thomas Burford Mr John Rousby & Mr Bartholl Ennalls Appoynted for A Committee, for Incouragment of Trade
The Committee of Priviledges and Eleccons goe vpon their Charge
Booke of lawes sent for & brought in Mr Clemment Hill sent to the vppr house for the booke of Lawes He returnes and Sayes the vppr house will Send the Lawes by Majr Sewall

The booke of Lawes and severall Roles of lawes brought into this house. L. H. Journal Original.

The Committee of priviledges and Eleccōns Come into the house & report as followeth Viz[t]

Report of the Committee of Priviledges & Eleccons. 3[d] October 1683: Att a Committee of priviledges & Eleccōns:

This Committee being Certaynly Informed That since the Last sessions of this Assembly his Lordsp hath been pleased to Appoynt M[r] Miles Gibsone One of the members of this house and One of the Delegates of Baltemore County: High Sherriffe of the sayd County of Baltemore, by reasone Whereof he is Incapable of Sitting as A member of this house, & soe the sayd County want their Due representatives:

Doe humbly Conceive it requisite, th[t] his Lōsp be requested p. 5 by this house to Command the secretaryes of this province forthw[th] to Issue out a writt, for Electing One Other persone to serve as a delegate for the sayd County in the Stead of the said Gibsone, to be made returnable without delay, soe as the person if possible may give his Attendance this p[r]sent session

Alsoe that Cap member of this house and the Other delegates & haveing not made any Cause apeare sence may be sent for by a messenger to Answere for such his default & Suffer such fitt to Impose vpon him:

Two Journalls Sent for Answere. for the Journalls of the Two last Sessions of urnes & sayes M[r] Secry Sewall will endeavour to gett them house:

prisones prisoners & Jaylors: Debated Into debate the matter Concerning prisones the secureing poynting Jaylors: And Ordered th[t] the same be referred to vp a bill Concerning the Same.

into Consideraccōn the manner of bringing money into this prov was framed the message ffollowing: (viz[t])

Lower house of Assembly October the Third 1683:

Concerning bringing in of money. This house Ta Into Their serious Consideracōn That part of his Lōps speech made to this house yesterday relateing to the bringing in of money into this province, for the Advanceing the Trade thereof have deliberately debated the same, and shall be willing to joyne with his Lōp: and Upp[r] house in any wayes or meanes that may be Thought requisite for the promoteing soe great a good:

And therefore this house doth humbly desire his Lōp and

L. H. Journal Original. vpper house would be pleased to propose to this house what Rule or Method Act or thing, his Lōp and Upper house Conceive necessary to be done, w^ch^ may best Conduce to the procureing of money and Advancement of Trade to the Effecting whereof the Consent and Concurrence of this house is desired:

And therevpon this house shall readyly reassume their debate Thereaboutes.

The foregoeing message sent to the Upp^r^ house by Cap^t^ Smith and M^r^ Hatton

They returne and say they have delivered the same.

Then Came Coll Burges & Majo^r^ Sewall w^th^ the ffollowing message

Upp^r^ house 3^d^ October 1683:

Answere to the foregoeing message In Answere to the message this day receved from the Lower house by M^r^ Hatton and Cap^t^ Smith, This house knowing the Substance thereof to be of very great Consequence to this province and the Commerce and trade
p. 6 thereof Doe Desire the Lower house would Appoynt members of their house to Joyne with members of this house as a Committee to Consider and Consult the matter Conteyned in the sayd message and to report the method and way w^ch^ by them shall be agreed on to the Consideraccōn of both h

Signd p Ord^r^ Clk of Assembly

Committee Appoynted about money. Ordered That Cap^t^ Henry Smith and In Committee with the members of the vpper house foregoeing message mentioned as is desired

The House Adjourne till To Clock

Thursday October the 4^th^

The house mett and Called all p^r^sent as

Then was read what was done Yester

Capt Johnson Excuses his absence from the house Then Came Cap^t^ Henry Johnsone, One of the Delegates for and desires his absence from the house may be excused by a hath Raysed the ffreshes soe high that he could not pass over them Emminent danger of his life, w^ch^ Excuse being Admitted he

A Vote Concerning m^r^ Miles Gibsone. Then was Taken Into debate the report of the Comittee of Concerning M^r^ Miles Gibsone, And Voted that the said Miles the

Office of Sherriffe Conferred vpon him, is made Incap house as a member thereof. And therevpon Resolved house that A warrant Issue, Signd by Mr Speaker, Directed the aryes that a new writt may goe out for Electing a Deputy or delegate to Serve for the County of Baltemore In the roome of Mr Miles Gibsone In forme following. L. H. Journal Original.

Lower house of Assembly October the 4th 1683

wart for a writt of Eleccon. Lett a writt Issue According to vsuall forme returnable without delay for the Electing a persone to be delegate for the County of Baltemore in the place of Miles Gibsone, Vacant by reasone of the office of Sherriffe

To the honoble the Secretaryes Signd p ordr of the house
Phill LLoyd Speaker.

Lower house of Assembly October the 4th 1683.

The vppr house have Notice of a Commtee about money This house hath Appoynted Capt Henry Smith & Mr Henry Hosier to Joyne with the members of the vppr house in a Committee To Consider and Consult about the message sent the Vpper house yesterday by Capt Smith & Mr Hatton about bringing money into this province

Warrt of Elleccon Sent vpp: The foregoeing message sent to the vppr house by Mr Burford and Mr Rousby

Who are Ordered to give the foregoeing warrt To the Secretaryes:

Answere. They returne and Say they have delivered the Message and According to Order by the Secretaryes Say they have Noe Ordr to receive the warrt

The Came Mr Secry Darnall & Mr Secry Sewall And

Ordinance about Eleccons brought in deliver to Mr Speaker An Instrument vnder the great Seale of this province Entitled an Ordinance Toutching The Convention of Assemblyes, which was read p. 7

Then Came Coll Low & Coll Stevens from the vppr house wth the following Message

(Vizt) Uppr house the 4th October 1683

Members of the vpper house, to Consult bringing in of money nominated This house have Appo Vincent Low & Coll Wm Stevens members of this house to Joyne & Mr Hosier members of the lower house as a Com Consult the bringing in of money into this provi

Ordr Tho: Grunwin Clk of the Assembly

L. H. Journal Original.

The Committee goe out Immediately — Sent out to — Vpon — hosier are

Committee for Trade goe out — vancement of Trade goe out, sent to the Upp^r house with the ffollowing paper

November the 15^th^ 1682

ecting and Summoning Delegates &c^a^ This house will alsoe the bill for Advancement of Trade is reassumed.

Signd p Ord^r^ John LLewellin Clk of Assembly

The bill for future Eleccõns sent for from the upp^r^ house. — are Ordered vpon the delivery of the foregoeing paper — Toutching future Elections Sent to the vpp^r^ house last — urned to this house.

They returne — say the upper house will send Answere by their owne members.

The booke of lawes sent for to the Committee. — Then — in the Committee for the booke of Lawes And hath it Delivered to him:

The old bill for Eleccõns brought into the house — Then Came M^r^ Secry Sewall from the vpp^r^ house w^th^ the bill Toutching Elections and Delivers the same to M^r^ Speaker

In the Instrument under the great Seale Or Ordinance this day sent to this house from the vpp^r^ house was Inclosed the following paper (viz^t^)

November the 7^th^ 1682

The vpp^r^ house have read Over the bill Directing the manner of Electing and summoning Burgesses &c. And Doe Conceive it a needless bill, his Lõp haveing already settled the number of the members to be elected in every County & Cyttye Or Burrough for the ffuture by an Instrument vnder his great seale bearing Date the sixth day of September 1681: and published the 17^th^ of the same month as we p^r^sume many of the members of this Assembly doe remember.

An old message Inclosed In the Ordinance.

Wherefore This house doe send the Originall Instrument to the Lower house that if they please they may Cause it to be Entered in their Journall & Returne the same againe to this house, and that we may proceed to Other bills now before vs

Signd p Ord^r^ John Llewellin Clk of the Assembly

A new bill for Eleccõns voted to be prepared — Resolved by this house that a new bill be drawne vp Toutching ffuture Eleccõns, and Ordered that the Committee of priviledges & Elections Prepare the same

p. 8 Ordered That Cap^t^ Orsborne be added to the Committee of

priviledges & Elections In the roome of Capt Smith who is Imployd vpon Other Affaires of this house L. H. Journal Original.

A message about a writt of Eleccon. Mr Carvile and Capt John Orsborne sent to the Secretaryes to Acquaint them tht Miles Gibsone Stayes for a writt of Delegate to Serve for Baltemore County and to desire to knowe will Issue forth the writt

The members returne and say Mr that there is noe writt yet Issued.

Lower house of Assem[bly]

A Vote about Mr Gibsone sent the vppr house & Voted Then was Taken into serious debate & Eleccons Concerning Mr Miles Gibsone reasone of the office of Sherriffe Conferred vpon in this house & a member thereof.

presidents produced to the vppr house for such a writt of Eleccon Mr Carvile and Capt Orsborne sent to the vppr house to read a Certayne Clause out of a booke entitled Mordies Thereby to shew the vppr house the right of the speaker of the such warrant to the Secretaryes for the Issuing a writt to hath been this Day sent Them:

The members returne and say They have delivered Mr Secry Sewall from the vppr house desires the Ordina brought into this house and hath it with him

The Committee of priviledges goe out

Then Came Master Secry Sewall with the following paper from the vppr house wch being read is as foll Vizt

Uppr house October the 4th 1683

An Answere to the Vote about mr Gibsone This house finding that mr Miles Gibsone one of the Delegates of Baltemore County is by the Lower house Voted InCapable of sitting as A member of that house by reason of his being Sherriffe of the sayd County Though formerly Capt Richard Ladd & Capt Jonathan Sybery were Admitted to Sitt as Delegates when at the same time they were Sherriffs, This house rather then the present affaires should receive any Obstruccon have Thought fitt to move his Lop that Orders may be given to the Secretaryes for the Issueing out writt for Electing an Other Delegate in Baltemore County which is Accordingly Ordered to bee done The which had sooner been performed by the secretaryes If notice had been Given them According to the Tennor of the Ordinance for The Convention of Assemblyes of any such want

Signd p Ordr
Thomas Grunwin Cler of Assembly

The house Adjourne Till To morrow morning Seven a Clock

L. H. Journal Original. p. 9

Fryday October the ffifth 1683

The house mett and Called all p^r^sent as yesterday
Then was read what was Done Yesterday.
Then was read the port of the Committee of Both houses to Consult the bring this province

Cap^t^ Henry Smith
M^r^ Henry Hosier } Present

Report of the Committee about bringing money into this province

Prop the setting a Certaine Vallue vpon moneys money into this province.

of Eight being good silver, shall be Currant shillings p peece of Eight, & Every Doller or good shall be Currant within this province for seven
That every New England shilling shall bee Currant w^th^ they are in New England, And all Other money greater proportionably after the vallue of a peece of Eight.
that if any persone or persones w^th^in this Province wash or any way diminnish Any the Coynes soe Imported
That shall be found Guilty of any the aforesd Crimes w^th^ Intent to defraud the Right hono^ble^ the Lord Proprietary or any the people within province that shall be Convicted either by Confession or Otherwise for the first Offence, Stand in the pillory Three hours and be fined Tenn pounds One halfe to the Lord proprietary and the Other halfe to the Informer, and for the second offence shall stand in the pillory Three hours and have his Eares Crop't and be fined Twenty ^li^ One halfe to the Lord proprietary and the Other halfe to the Informer; and for the Third Offence perpetuall Bannishment.

Voted by this Committee for Incouragement both for Inhabitants and forreigners to Import money into this province, That it is very necessary that Certayne places be Appoynted in Every respective County for bringing the Comodityes of the growth of this Country Together where people may haue a Convenient Oppertunity to deale for such Comodityes as they shall haue Occasion for with their money.

Voted that if his Lōp will be pleased to receive his Dutyes of 2 ^s^ p hogsh: & other port Dutyes in peeces of Eight at Six Shillings p peece of Eight & and the Other moneys aforesd at the rates aforesd it will much Conduce to the bringing in money Into This province, & this Committee being very Sencible of the loss his Lōp: may Susteyne by receiveing his Imposition & port Dutyes in the moneyes afores^d^ at the Rates Affores^d^ This Assembly may repaire th^t^ loss by some wayes or meanes & they shall see most fitt and Convenient.

Signd p^r^ Ord^r^ Thomas Bland Clerke:

Sd report. After severall Debates in this house vpon the report aforesd it is referred to the same Committee for their further Consultaccōn therevpon L. H. Journal Original. p. 10

The sayd Committee goe out vpon their Charge.

The Committees of priviledges &c: And of Trade goe out:

A proposition about Jacob Young: Proposed by a member of this house against Jacob Young This house is any way obleig Referred of the last Sessions of Assembly, Or to begin the

The debate of the foregoeing prop orning

Mr Bartholmew Ennalls a member reasones to this house Shewed, Desires his further dispenced with for the remaynder of this

Put to the question whether Mr Ennalls with as is desired Yea or Nay:

Voted In the Negative:

The bill Toutching Eleccōns brought into the house and read the first time. Then Came into the house the Committee of priviledges and with them a bill Entitled an Act Directing the manner Burgesses Delegates and representatives to serve in suc Which bill received its ffirst reading in this house

The Ordinance sent for Mr ffrisby and Capt Johnsone Sent to the vppr house for the Convention of Assemblyes,

They returne and Say the vpper house will send pr̄s

Mr Secry Darnall Delivers the Ordinance to Mr Speaker

Ordered that the Committee of priviledges &c draw vp a message to be sent to the vppr house will the bill of Eleccōns; who Takeing with them the Ordinance Goe out vpon the same.

The bill Toutching Eleccōns read the second time. The bill Directing the manner of Eleccōns &c Read the second time by Speciall Order of the house; And past to Ingrossment.

The Committee of priviledges and Eleccōns Come in and pr̄sent to the Consideraccōn of this house the following paper (Vizt)

October the 5th 1683: Lower house of Assembly

Report of the Committee of Eleccons This house haveing Considered of a Vote of the vppr house made the last sessions of Assembly the seventh of November 1682; and Sent yesterday to this house as alsoe his Lōps Instrument, vnder the great seale therewith sent Cannot Concurr in Opinion with the vppr house therein for these reasones

1st ffor that the best and Surest foundaccōn whereon the peace of the province depends is in the makeing good and wholesome lawes for the well goverment thereof, wch lawes

L. H. Journal Original.

cannot be made without the Consent of the freemen of this province by their Deputyes, Delegates or representatives in Genrall Assemblyes Assembled, And Since hitherto the forme of Assembling their Deputyes & Delegates hath been altogether Divers, and vncertaine this house Conceive that noe better
p. 11 meanes Can be vsed In this Province for the Settleing the minds of the freemen and reduceing a matter of this moment to a Certaynty for the future then to Establish the manner of Electing & summoning of Burgesses delegates & representatives to serve in succeeding an Act to be Assented too by his Lordsp and both houses of Asse their Consent in Assembly may not be Altered or Re Due honor and regard ought to be had to his ons, yet this house Conceives this p[r]sent Ordina his heires and successors, but that the man &c therein p[r]scribed may be altered wills and pleasures and thereby the same

Ordinance recyted it is sayd (as to the shall give Authority to each of them (meaning the delegates all Indentures &c: which seemes to make the power to Consent &c: Burgesses &c: Derivative from the Sherriffe, whereas and Consent in Assembly is only from the freemen by made by virtue of such his Lōps writt.

in the Ordinance "In case any of the persones soe Elected province" or be Otherwise Disabled to sitt & Vote &c vpon Notice from the Commissioners of the place or the Sherriffe or the Survi elegate, to the Secretary or Other Officer &c—New writts shall issue for the supply of the vacancy of such persone, Dead gone Out of the province or Otherwise Disabled to Sitt or Vote &c

This house Conceives in the first place, that such notice may be neglected or if given not sufficient to disable such persones not dead from being and Continueing a member of Assembly, None being more proper Judges of the Disability of such member then the house it selfe.

Besides as the Commerce of our province depends much vpon a dayly Correspondency with our Neighbours of Virginea, New Yorke, Pensilvania &c: A persone member of this house may have Occasion to goe about his Necessary Occasions and Affaires In the Intervall of Assemblyes, And be Absent at the sitting of Assembly, Yet ought not for That Cause Onely to bee removed from being a member of Assembly, Or to sitt and vote there when he Comes In againe.

Therefore this house have prepared a bill for the Electing & summoning Burgesses &c herewith sent and passed this house To w[ch] they desire the Assent of his Lordship and vpper house.

Then Came Coll Stevens from the vpp[r] house and Desires to know if This house have any business to Communicate to the vpp[r] house to night If not they will Adjourne L. H. Journal Original.

M[r] Speaker Answeres, that this house will send, vp a message presently p. 12

M[r] Green sent to call in the Committees, who Come to the house.

Bill for Eleccons read the 3[d] time & Assented too: Then was read the bill Directing the manner of Electing & summoning Burgesses Delegates &c: The Third time by Special And Assented to in these words (viz[t])

October the 5[th]

The Lower house have Assented house of Assembly

Then was the Clerke Comanded to signe message of this house w[ch] was done According

Then M[r] John Rousby & Cap[t] William sayd bill and Message, And the Ordinance Toutc

The Messengers returne and Say they have del in the vpper house.

Voted by this house th[t] the Committee of priviledges & Elec prohibitting the Exportacōn of his Lōps Ordnance Ammuni for the repeale of an Act of the same title, and p[r]sent the same

The house Adjournes till to morrow morning

Satterday October the Sixth

The house Called and All present as yesterday

Then was read what was done yesterd

Jacob youngs business debated The house Take into ffurther Debate the matter Con ing Jacob Young referred by a Vote of this house yesterday Wherevpon Resolved that the following message be sent to the vpp[r] house, (viz[t])

Lower house of Assembly October the 6[th] 1683:

message therevpon This house vnderstanding that Jacob young w[ch] was the Last Sessions of Assembly Impeached by this house is now brought vp, by the Sherriff of S[t] Maryes County in Order to the receiveing his Tryall at the barr of the Upper house Doth desire to knowe of the Hono[ble] the vpp[r] house whether the matter vpon the sayd Impeachment, be at such Issue that he may receive his Tryall This p[r]sent Sessions, and if soe That they would be pleased to Transmitt the paper relateing to the sayd Impeachment to this house, And Appoynt a day when this house shall Attend their

L. H. Journal Original. honoʳˢ by some members of this house to mannage and prosecute the sayd Impeachment agᵗ the sᵈ Jacob young.

Capᵗ Richard Hill and Mʳ Green sent with the message
They returne & say they have delivered the same

Lower house of Assembly October the 6th 1683:

message About bringing in of money. This house desires the vppʳ house to give Instruccōns to the members of their house, Appoynted for A Committee to Consult of bringing in of Money into this province, for the drawing vp a bill for that purpose, This house haveing given the like Instruccōns to their members wᶜʰ are to Joyne with them

Signd ꝑ Ordʳ C. Boteler Cler of the Lower house &c

p. 13 Mʳ Hall and Mʳ Hosier sent to the vppʳ house with the message

They returne and say they have delivered the same.

A bill for Advancemᵗ of trade read the first time The Committee for Advancemᵗ of Trade, present to this house a bill Entitled an Act for of Trade, which was read the ffirst time

Then Came house with the following message

the 6th 1683

message from the vpper house about Jacob Young. ffor received from the Lower house by Capᵗ doe say that they conceive that the vpon issue, & have therevpon voted that this house One Munday next & doe desire Appoynted, or to be Appoynted to psecute the sᵈ ready for That purpose, before this house On Munday of this pʳsent october and herewth sent the Journall Assembly for the Impeachment of the sd Young, the Articles & the hands of The Attourney Genrll

Signd ꝑ Ordʳ Tho Grunwin Clk of the Assembly

Debate vpon the message whether munday next will be a Convenient time for the trya young: Resolved That Munday next will not be time sufficient, for members of this house to prepare themselves for mannage gainst Jacob Young, Therefore Ordered That a message be drawne by the Clerke of this house, And sent to the vpper house To desire That Tuesday may be the Day of Tryall, And Jacob young may have notice thereof.

Wherevpon was drawne the ffollowing message (vizᵗ)

Lower house of Assembly October the 6th 1683 L. H. Journal Original.

Message to the vppr house about Jacob young

This house Conceive that by reasone Some Members of this house which were Appointed The last Sessions to mannage the Impeachment against Jacob Young are not present in this house, Soe that there is a necessity of Appointing Other members in their Roome, who are not as yet sufficiently prepared with the matter in the sayd Impeachment Therefore this house desire That further time may be given for the members of this house now Appointed to mannage the Impeachment aforesd, to prepare themselves for the same And that Tuesday next being the Ninth of this prsent October May bee The day of Tryall And Thatt Jacob Young may have Notice Thereof To Answere Accordingly.

Signd p Ordr p C Boteler Cler of the Lower house &c.

Capt Henry Johnsone and Capt Richard Hill appointed in the roome of Major Weikes and Mr Gibsone To mannage the Impeachmt agt Jacob Young:

The house Adjournes Till Munday Morning 7 a Clocke

Munday October the Eighth 1683 p. 14

The house mett and Called all prsent as One Satterday

Then was read what was Done Satterday

Capt Hill and Capt Johnsone sent to the vp - the message of satterday last relateing to the Tryall of Jacob Young

They returne and say they have del

The bill for Advancement of Trade read the 2d time

A bill Entitled an Act for Advanc Mr Secry Darnall from the vppr hou

Upper house Octob

The vppr houses Concurrnce about Youngs tryall

This house doe Concurr wth the Lower house Young to Tryall And That Jacob young sha

Signd p ordr Tho: Gr

The members Appointed to mannage the Impeachment goe out to Consider and prepare themselves for the tryall

Then Came Mr Secry Sewall from the vpper house, and desires wittnesses wch this house would have summoned against

Capt Orsborne sent to the Committee for mannageing the Young for a list of the names of the wittnesses

He returnes and sayes they will send it presently

The Committee about Jacob Young Come Into the house and as ffol

L. H. Journal Original.

Att a Comittee about Jacob Young

Wittnesses against Jacob Young

This Committee find Garratt Vansweringen a very materiall Evidence, in this matter who is not here and desire he may be sent for.

That Joshua Doyne Thomas Pew, & John Higdon are alsoe wittnesses & are here, And the Committee Conceive it needfull to Order their Attendance & Stay till the Tryall is Over.

The Other liveing evidences are members of the vpp^{r} and Lower Houses (To witt) Coll Coursey, Coll Stevens, Coll LLoyd, Richard Hall, Richard Hill and ffrancis Hutchings whose Testimonyes are necessary:

The paper Evidence: The Treaty with the Indians when Coll Coursey went and when Coll Coursey & Coll LLoyd went, Youngs Confession to his Lōp and The Journall of the proceedings at the Treaty by Coll Coursey & Coll Stevens which the Comittee desires the pervsall of

Lower house of Assembly October the 8th 1683:

This house desires The vpp^{r} house To take Ord^{r} Accordingly:

M^{r} Clem^{t} Hill & Doct^{r} Brooke sent to the vpp^{r} house wth the report and message

They returne and say they have delivered the same

ffurther debate about the Act for Trade

The bill for Advancement of trade Taken into Consideraccōn and debate

Then Came Coll Darnall ffrom the vpper house and presents The ffollowing message To M^{r} Speaker

p. 15

Upper house October the 8th 1683

Message about wittnesses and deferring of youngs Tryall

This house vnderstand from the Committee of the Lower house about Jacob Young That the sayd [Commi]ttee finds Garrat Vansweringen a materiall Evidence against [the said Jacob] young who being remote from this place it is thereup[on Ordered by this] house That the Tryall of the sd Jacob Young be [Deferred till Tuesday come] Seven Night being the sixteenth of This [present October and by that time] the sayd Garratt Vansweringen may be [here Summons being gone out] for him already:

Tho: Grunwin Cler &c.

[The house Adjourn till] To morrow morning seven a Clock:

Tuesday October the 9th 1683

The house met and Called all p^{r}sent as yesterday

Then was read what was done yesterday

Debates Concerning the bill for Advancement of Trade

The bill for Advancement of Trade Taken Into further Consideraccōn L. H. Journal Original.

And putt to estion whether a salvo, for the Cyttie of S[t] Maryes, that The Charte not be prejudiced by the Act for Advancement of Trade shall be to the sayd bill yea or nay:

in the Negative:

Commissioners to be nominated in every County for Townes

Uoted That nty four Commissioners be Appoynted for Every County for the busin Ordered that the members of this house Doe nominate the sayd Commissioners for their respective Countyes by Twelve a Clock day:

The Committee for bringing in of money &c
The Committee of priviledges & Eleccōns &
The Committee for Advancement of Trade
} Goe out vpon their Charges

Bill of Naturalizacōn read the first time

Then was read a bill Entitled An Act for Naturalizeing John Cosines Peter Maisee de Moysne & Andrew Mattsone the first time

proposall and Vote about Carrying Tobacco To townes.

Proposed, at whose Charge Tobacco Contracted for before the proclaiming the Act for Advancement of Trade shall be brought to the Townes:

And Therevpon Resolved That all tobacco Contracted or dealt for before the publishing or proclaiming of the Act for Advancement of Trade shall be Carryed Or Conveyed To townes, ports, or place of Trade, At the Charge of the Credittors and Not of the Debtors.

Ordered That the foregoeing Vote be sent to the Committee for Advancement of Trade To be Incerted Into the bill

Lower house of Assembly October the 9 1683

This house desire To knowe If the vpp[r] house have any bills or Other matter prepared for this house And that the vpp[r] house please to send Their Assent to the bill for Directing the manner of Electing & summoning Burgesses &c To serve in future Assemblyes: p. 16

Signd p Ord[r] C B:

M[r] Hall and M[r] Hutchings sent to the vp[p[r] house] w[th] the foregoeing message

They returne and say they have d me

Then Came Maj[r] Truman from the following message

Vpp[r] house Oc[tober 9[th] 1683]

Answere to the same and pressing the Towne bill.

This house haveing noe bills yet [to present to] the lower house for Electing of Bu[rgesses &c have under Consideration] but in regard the

L. H. Journal Original. business of Townes [is] of soe [great concern It being that which is] soe earnestly desired by the generality of the Inh[abitants and was the first thing] recommended To this Assembly by his Lor[dship]

This house is in expectation of some bill from the [Lower house in relation] Therevnto and in that and in any thing elce that is for the General good This house will readily Concurr with the Lower house.

Signd p Ord[r] Tho: Grunwin Cler &c.

Commissioners nominated Then the members of this house p[r]sent the names of to bee Comission[rs] in their respective Countyes for Erecting To ports &c. In pursuance of the Act for Trade

Ord[r]ed that the same be made into a faire List and to his Lordsp for his Approbation:

Places appointed for erecting Ports Places Appointed In the severall Countyes Province for Townes Ports &c as foll:

In S[t] Maryes County

1 S[t] Maryes Cyttie.
3 2 Brittons Bay
3 Between the mouth of Chaptico bay and Westwood house

In Kent County

1 Nere the head of Shipping Creeke
2 2 Att or Nere Grayes Inn Creeke

In Ann Arrundell County

1 Att Ann Arrundell River
2 In South River
4 3 In Herring Creeke
4 Between West and Road Rivers

In Calvert County

1 In or nere Coxes Creeke in the freshes of Puttuxent
2 In Battle Creeke in Puttuxent.
4 3 Att or nere Warrington vpon the Clifts
4 Att Harvy Towne In puttuxent:

p. 17 In Charles County

1 In Wycocomoco River, att or neer Hattons Poynt.
3 2 In Port Tobac[co Cre]eke nere the mouth.
3 Att Chingo Muxen

[In Baltimore] County

1 [In Potapsco River near] Humphreys Creeke
2 2 [Bush River near the] Court house

[In Talb]ott County

[1 In Treed haven] at or near the Mouth

[2 In Kings Creek] at or near the old Towne land L. H. Journal Original.
4 [3] Att or nere Adjacent to the Towne p^t^ at the mouth of Wye Ryver.
4 At or nere the old Towne land in Corsica Creeke

In Somersett County

1 The [Sou]th Side of Wycocomoco River above Ballards Island
2 A[t the Mo]uth of Mudford Creeke in Mannokin River
4 3 A[t or ne]re Barrowes Landing in Pocomoak River
4 [At or nere] M^r^ Horseys plantacc$\bar{o}$n in Annamessex:

In Dorchester County

1 [Near the h]ead [of] ffishing Creeke in Little Choptanck.
2 2 On the west side of the North west branch of Transquakin River At or nere the forke

In Cæcill County

1 In Worton Creeke
3 2 In Sassafrass River between the Court house and the Iseland
3 In Elck River nere the mouth of Cap^t^ John's Creeke

Lower house of Assembly October the 9^th^ 1683

This house Doe p^r^sent the severall persones and places above mentioned for the Approbation of his L$\bar{o}$p and vpp^r^ house to bee Commissioners and Necessary places for Erecting of Townes In pursuance of the bill prepared for that End

Signd p Ord C. Boteler Cler. &c.

Lower house of Assembly October the 9^th^ 1683

Message about the bill: for elecc$\bar{o}$ns & Trade

This house haveing soe readily sett about the bill for Townes soe much desired by his Lordsp: and vpper house, & the Committee of Trade dayly Imployed therein and severall debates in this house in Ord^r^ to the Expediting thereof with resolution to perfect and Dispatch the same, soe fast as the weight of the matter will permitt; was in hopes that the vpper house would not have kept the bill presented by this house for Directing the manner of Electing Burgesses &c soe long without Vouchsafeing more then such Generall Answere therevnto as in the Last mes- p. 18
sage, but on the Contrary seem to keep the sayd bill w^th^ Intent to Exact a Complyance from this house to the bill for Townes thereby Rendering it Suspicious house that the vpp^r^ house doe not Intend th^t^ faire Correspondence w^th^•th r^sent Affaires require

And this house Earnestly desire The Easily Appeare if this house for the same Now vnder

L. H. Journal Original. Their Consideraccōns, soe much standing this house Intends not to doe That the vpper house will not Eleccōns aforesd Not more desired by this peace quiet and well being of this province.

Signd p Order

Mr Hill Mr Hatton & Mr Richardsone sent to the vppr house with the foregoeing Message, As alsoe the List of persones Nominated for Commissiors The places Appoynted for Townes and the message therevpon

They return and say the vppr house is Adjourn'd soe nnot deliver The same, and soe returne the papers to Mr Speaker

A bill prohibitting the Imbezelling his Lōps Ordnance read the first time

The Committee of priviledges and Eleccōns Come house and present A bill Entitled An Act prohibitting the Imb Lōps the Lord Proprietaryes Ordnance Armes or Ammunition which bill received its first reading:

Report of the Committee about better Keeping the Lawes.

The sayd Committee alsoe report to this house tht vpon their pervsall of the Lawes of this province, they find it necessary that the Law for Military Discipline be Amended in some parts thereof.

They alsoe report that the Lawes of the four Last Sessions of Assembly are much Torne and have been very ill kept, And that it is necessary that the same be Entered into the body of Lawes with the rest

The house Adjourne Till To morrow morning 7 a Clock

Wedensday October the Tenth 1683

The house mett and Called all prsent as Yesterday

Then was read what was done Yesterday

Majr Weekes absent till now, enters the house.

Then Came Major Joseph Weekes a Delegate for the County of Kent and desires to be excused for not Attending this house sooner, Vyolent sickness haveing been the Occasion thereof:

Which Excuse being Admitted he Takes his place.

Lists and message sent vp and delivered

Mr Hill Mr Hatton and Mr Richardsone Sent to the vppr house with the lists and Message returned by them last Night

They returne and say they have delivered the same.

Naturalizaccōn bill read the 2d & 3d Times and past

The Act for Naturalizeing John Cosines & Others, read the Second and 3d Times by Speciall Ordr of This house; And Assented Too by this house

A bill Entitled an Act prohibitting the Imbezelling his Lōps Ordnance read the second time and past to Ingrossment L. H. Journal Original. p. 19

The Committee for Advance Trade, and the Comittee for bringing in of money goe out Charges.

proposall about the Act for probate of will &c: Proposed by it be not necessary th[t] the Act for pro alsoe that the Act Limmitting the Ext

Comittee to Inspect the lawes Appoynted. There Inspect the Lawes (viz[t]) M[r] M[r] William Richardsone } Cap[t] John Orsborne }

ment of Trade, Come Into the house, & bring

The Act for Advancement of Trade returned w[th] amendm[ts] with Entituled An Act for Advancement of Trade, Amended in severall parts thereof since the second reading of the same which Amendments were read:

Act about his Lops Ordnance Assented to by the Lower house A bill Intitled An Act prohibitting the Imbezelling his Lōps Ordnance Ammunition read the Third time by Speciall Order, and Assented too by this ho

sent vp: M[r] Adda and Maj[r] Weekes sent to the vpper house with the sd bill

They and say they have delivered the same.

A Story about mony The Commi or Consulting the bringing in of Money Into this Province, report that they have prepared a bill Entitled an Act for Advancement of money, But the members of the vpp[r] house Joyned with them, have Carried the same Into the vpper house for their perusall who have promised to send it downe, when read there.

M[r] Pead to be desired to preach. Voted that M[r] Duell Pead, bee requested by M[r] Speaker to preach before the Lower house of Assembly next sabboth day:

An Act of Naturalizaccōn Assented to by the vp[r] house Then Came Coll Stevens, And p[r]sents to this house A bill Entiled an Act for Naturalizeing John Cosines Peter Maisee de Moysne and Andrew Mattson Assented to by the vpper house.

Report from the Committee of Lawes Then Came M[r] Robert Carvile from the Comittee of lawes & presents to this house a bill Entitled An Act for provideing in Case of Suddayne Accidents in this province: which was read the first time.

The Committee for Inspecting the Lawes, Report that they find in the body of the Lawes An Act for punnishing Certayne Offences ag[t] the peace and Safety of this province, which Law is not Convenient to Stand, by reasone of the vncertayne matter therein Conteyned.

Voted That a bill be drawne by the sd Committee for the security of his Lordsps persone, In more Certayne Termes, with a Clause Therein To repeale the former Act

The sd Comittee goe vpon the same

L. H. Journal Original. p. 20

Lower house of Assembly October the 10th 1683

a message sent this day about persons and places

This house desire to knowe whether his Lop: and vppr house Doe Approove of the severall persones & p[laces N]ominated in the message of this house sent this morning [to be Commissionated] & Appoynted for the Erection of Townes whe[reby this house may finish] the bill relateing Therevnto

Si[gned p order C. Boteler] Cler

The sd message sent the vppr ho

They returne and Answere

Bill agt suddayne Accidents read the second time

The bill for provideing agt suddayne Read the second time by Speciall Ordr of this house.

Coll Diggs from the vppr house brings

Uppr house October the 10th 1683

Message about report of the Committee for bringing in money.

This house have pervsed the bill brought into this house by a member of the Committee About money and the paper there with about satisfying his Lōp: for his Loss, wch this house received as or Instead of a report from the sayd Committee and Doe send the sayd bill and paper to the Lower house for their first Consideraccōn and then this house after[wards] will Consider the same.

Signd p Ordr Tho: Grunwin [Cler] &c.

The sd messenger delivers the bill and paper in the message to Mr Speaker wch paper is as followeth (vizt)

The Committees report.

By the Committee for bringing money into this province

That whereas his Lōp Takeing his Impositions port Dutyes & other Dues In the Coynes at the Rates Conteyned and Expressed in this Act will much Conduce to the bringing in money into this province by meanes whereof his Lōp will susteyne great loss in Receiveing the money for Impositions & at the Rates aforesd, This Committee referrs it to the Consideraccōn of bøth houses for this present genrll Assembly, by what wayes or meanes they will Direct, To repaire the same this Committee Not thinking it Convenient to Incert it Into the bill

Signd p Ordr Tho Bland Clk:

Mr Jno Rousby sent to The vppr house to knowe if the vppr house have any further busness to Communicate to this house This Night

He returnes Answere that the vpp[r] house say they are pre- L. H. Journal Original.
pareing business, but Doubt it will be Late before The same will be readie for the Lower house

The house Adjourne Till To morrow morning 7 a Clock:

Thursday October the 11 1683

The house mett and Called all p[r]sent as yesterday

Then was read what was Done yesterday

The report of the Committee for bringing in of money into this province taken Into the Consideraccōn.

Then Came Coll Stevens, and desired as from the vpp[r] p. 21
house, th[t] this house would permitt the Burgesses of Somersett and Dorchester Countyes to Come into the vpp[r] house, to discourse the of places for Erecting Townes.

Put to the question Somersett and Dorchester Countys shall goe to the Nay:

The report about mony returned

Th ith them is sent the report of the Comm ccōns to acquaint the vpp[r] house that this repor vnder Consideraccōn & have desired.

Inspecting the Lawes goe out

The house returne and they have delivered their message & th[t] the vpp[r] house will send for them when they are more at Leazure

The vpp[r] house send for the members aforesd who goe vp with the leave of This house

A bill provideing ag[t] suddayne Accidents read and Assented too

Then was an Act provideing in Case of Suddaine Accidents in this Gov- erment The Third time, & Assented to by this house

Then Came jo[r] Truman M[r] Secry Darnall & Coll Burges from the vpper house the following message: (viz[t])

Upper house 10[th] October 1683

Answere to the message about the bill for Eleccōns & About a bill for Townes

This house being much surprized to see a Message This day sent in writeing from the lower house, the because the bill for Electing Burgesses &c has not yet past this house, There should seem any Intent, in this house to exact first a Complyance to the bill for Townes soe much desired (as in the same paper is Expressly mentioned) by his Lōp: and Upp[r] house & th[t] from thence there should be a suspicion this house Intended not that faire Complyance w[ch] the p[r]sent affaires of the province doe necessaryly require.

L. H. Journal Original. This house for Answere doe say That as the business of Townes was the first and principall Thing recommended by his Lōp: at the Opening of this Sessions, soe This house doe hope that the Lower house will shew themselves equally desirous and zealous for the same, & this house being fully assured That Townes are Judged by the Lower house to be of that great Advantage & Generall good to this province, w^ch^ this house is very Confident They will be found to be, was the reasone and noe Other of that message from this house, wherein it was Desired, the bill for Townes might be first dispatcht, w^ch^ yett this house have not received Though there is now a full weeke past since the first meeting of this Assembly and as yett not any request or desire has appeared from the Lower house of haveing any members of this house to Joyne in Committees for th^t^ Affaire All w^ch^ gave this house some Apprehensions that there had not been soe great a progress made by the Lower house in that business of Townes as Since Appeares
p. 22 there has been, And now that the Lower house may be Assured of all faire proceedings from this house, The bill for Electing Burgesses &c has been twice read an[d upon a] full debate of this house on the same, this house doe returne [Answer; That though the] manner of Electing Delegates and Deputyes [and Convention of Assemblies] be already settled by his Lōps: Ordi[nance yet for the better Settling the Mi]nds of the good people of this province in tha[t particular This house is willing and ready] to Joyne in a bill for Assert[aining what is already Contained in the] sayd Ordinance, with this alteracōn in the [Indentures That the Delegates are to] have their power from the Electors, And this [to be further Added that upon] Any neglect of notice to be given of the wan[t of any Delegates or Deputies] as in the sayd Ordinance is directed th^t^ then the Speaker [of the Lower house] may have liberty to Certify such want to the Secretaryes for the times being who therevpon shall Cause writt to Issue Accordingly, And this will Sufficiently quiet & Settle the minds of all persones in that affaire as this house is well Assured

Signd p Ord^r^ Tho: Grunwin Cler &c.

In answere wherevnto was drawne the ffollowing viz^t^

Lower house of Assembly October the Eleventh 1683

message about the bill of Eleccons This house desires if the bill for Elleccōns be rejected in [the Upper] house as by the last message by Maj^r^ Truman, M^r^ Jn^o^ Darnall and Coll Burgess seemes to be that the vpp^r^ house will return the sayd bill to this house.

Signd p Ord^r^ C Boteler Cler &c.

The Ordinance sent for and brought

Capt hill and Mr Ennalls sent with the message to the vppr house, And to desire his Lōps Ordinance Toutching Convention of Assemblyes may be sent to this house L. H. Journal Original.

They returne and bring the Ordinance with them.

Major Truman from the vppr house bring the bill for Elections:

Then was read the last message from the vppr house relateing to the bill for Townes & the bill for Eleccōns, in a full house and Taken Into debate

Major Truman from the vppr house brings the following message (Vizt)

Uppr house 11th of October 1683

Message about a peticōn concerning Mr Rousby

This house hath prsented to them a peticcōn of Joseph Spernons wherin Mr John Rousby a member of the Lower house is Concerned, This house desire to knowe if the Lower house will give leave to the sayd Mr Rousby to Appeare in this house, this afternoon and be prsent at the Examinaccōn of the whole matter the sayd Spernon haveing not yet been heard in this house

Signd p Ordr Tho: Grunwin Cler.

Mr John Rousby desires leave of this house To goe Into the vppr house As desired by the Last message

Mr Rousby returnes and Desires to knowe if he may Answere to the pet of the sayd Spernon, To wch this house say that he hath the licence of this house to Answere Therevnto if he please. p. 23

Coll Diggs and Mr Secry Darnall bring from the vppr house the ffollowing paper

Places Appoy his Lōp: & vppr house for Townes

Places his Lōp: & Uppr house

[St Maries County]

1 [The City of St Maries]

2 [Brittons Bay John Bayleys or] Tants

3 [at the Indian Town at Chaptico his] Lordships Mannour

[Kent County]

1 [Shipping Creek his Lordship] being resolved to lett Kent Iseland be [a County itself] as formerly

Ann Arrundell County

1 Towne land at Procters

2 South River Coll Burgesses Land by the Guift of Coll Burgess

3 Herring Creeke On Towne land.

Calvert County.

1 St Le[onards] Creeke on Richard Smiths land:

L. H. Journal Original.

2 Ho[llings] poynt on his Lōps mannour
3 At Gau[nts] nere his Landing
4 Warringtown On the Clifts Towne land.

Charles County:

1 Diggs purchace by Guift of Coll Diggs in Wicocomoco form[r]ly ffendall Creeke
2 Nere the Mouth of port Tobacco Creeke On the east side of the Creek Church land
3 Stump neck in Chingomuxon, On M[r] Jn° Reddishes land:

Baltemore County

1 In Pattapsco River nere Humphyes Creeke
2 Bush River On the Towne Land Nere the Court house

Talbott County

1 In Treedhaven Creeke at the Towne land
2 In Kings Creek nere the Old Towne land
3 Wye River Towne land there
4 Towne land at the forke in Chester River Maj[r] Coursey haveing assured land for it.

Somersett County

1 Wycocomoco River on the South side One the land next above the land of the Orphanes of Charles Ballard.
2 On the land on the North side Mudford Creeke (viz[t]) Smiths & Glanviles land
3 On Morgans land formerly Barrowes Towards the head of Pocomoake
4 On Horseyes land in Annamessex
5 One the land between M[r] Jenkins plantacōn and M[r] Howards plantacon On the North side of Pocomoake

p. 24

Dorchester County

1 On Morgans land nere the head of ffishing Creeke in little Choptank
2 On Travers land On the west side of the north west branch of Transquakin

Cæcill County

Grays inn Creeke [at the Town Land]
On the Towne lan[d on Sassafras River]
Elck River Jacobs [Nose point]

Upper house 11 October 1683

Message Concerning places for Townes

His Lordsp: and this [house have Nominated the places ascertained] as above is sett downe, and as for the Commissioners by the Lower house] Nominated can say nothing Till have [a Sight of the Bill to know for] what purpose Nominated.

Signd p Ord[r] Tho: Grunwin Cler.

Upon debate of the message, sent this day from the vpp[r]

house Concerning Eleccōns, Voted that a Conference be desired with the vpp[r] house Concerning the same. L. H. Journal Original.

This house Appoynt M[r] Speaker M[r] Thomas Burford b[t] Carvile & M[r] John Rousby To mannage the Conference

Lower house of Assembly October the 11[th]

A Conference desired by the Lower house. This house desire a Conference with the vpp[r] house vpon the [me]ssage sent from the vpp[r] house this day by Maj[r] Truman, M[r] Da[rnall] & Coll Burgess Concerning the bill for Eleccōns.

Signd p Ord[r] C Boteler Cler

M[r] Carvile and Doct[r] Brooke sent to the vpp[r] house with the Message. Maj[r] Sewall from the vpper house brings the following Message.

Vpper house October the 11[th] 1683

Agreed on by the vpper house This house have appoynted To morrow Afternoon between One and Two of the Clocke for Conference with the Lower house Concering the bill for electing Burgesses:

Signd p ord[r] Tho: Grunwin Cler.

M[r] Thomas Burford and M[r] Robert Carvile sent to the vp[r] house w[th] the bill for Advancement of Trade.

They returne and say the vpp[r] house is Adjourn'd soe th[t] they Cannot deliver Their message

The house Adjourne till To morrow morning seven a Clock.

Friday October the 12[th] 1683

The house mett and Called All p[r]sent as yesterday

Then was read what was done Yesterday

Lower house of Assembly October the 12[th] 1683

The bill for Advancement of Trade sent vp This house have sent the bill for Advancem[t] of Trad soe farr as it is ffinnished Thereby to shew the Intent of this house in Nominateing such severall Commissioners for each County

Signd p Ord[r] C Boteler Cler.

M[r] Thomas Burford and M[r] Robert Carvile sent to the vpp[r] house with the bill for Advancem[t] of Trade, and the message relateing thereto p. 25

They returne and say they delivered the same

A bill pvideing ag[t] suddayne Accidents sent vp: M[r] Hatton and Cap[t] [Peirce from the Lower] house with a

L. H. Journal Original. bill Entitled an Act provideing in Case of [Sudden Accidents in this Go]verm^t^ Assented to by this house.

delivered the same

Report of the Committee of Lawes Capt ting the Lawes brings A bill Entitled and Chattells whose per Owner read the first time.

Committee for Inspecting the Lawes moves Consider the Act Entitled An Act for punnishm^t^ of such unterfeit the great seale, And to knowe if the house will Commit the same to be New drawne.

The house Answere they will Consider thereof

The bill prohibitting the Imbezelling his Lops Ordnance Assented too Majr Truman from the vpp^r^ house brings into this house A bill Intitled An Act prohibiting the Imbezelling his Lōp the L^d^ Proprietaryes Ordnance Armes and unition: Assented too by the vpp^r^ house:

Coll Stevens the vpper house brings into this house Bill ag^t^ suddayn Accidents Assented Too A bill Entitled An Act in Case of suddayn Accidents in this Goverment Assented Too by the vpp^r^ house.

A bill for punnishing offence brought in and read the first time Mr Robert Carvile from the Committee for Inspecting the Lawes, brings A bill Entitled An Act for punnishment of Certayne Offences ag^t^ the peace and safety of this province, w^ch^ was read the first time.

bill for Advancem^t^ of Trade Return'd Coll Stevens from the vpp^r^ house brings the bill for Advancem^t^ of Trade And sayd that the Upp^r^ house had Nothing to Object ag^t^ the Commissioners Nominated by this house and p^r^sented to his Lōp:

Mr Carvile sent to the vpp^r^ house to Knowe if the vpp^r^ house is readie for the Conference Appoynted Yesterday to be this afternoon

Returnes and sayes the vpp^r^ house will send word when readie

A vote about objecting to places for Townes Put to the question whether at the End of the Conference Any member of This house shall have liberty to make any Objection to Any of the places Appoynted for Townes in the last message relateing there-vnto.

Voted In the Affirmative

Conference Coll Darnall Acquaints this house that the vpp^r^ house are ready for the Conference in the roome where the Vpp^r^ house now sitts:

This House Adjourn into the Roome where the vpp^r^ house now Sitts And Take with them his Lōrdsps Ordinance and the bill for Eleccōns

His Lōrdsps Ordinance & bill of Eleccōns left in the vpp[r] house

After the Conference Ended This house returne to their Owne house haveing first Deliverd his Lōpsps Ordinance and the bill for Eleccōns to the vpper house for their further Pervsall

L. H. Journal Original.

Lower house of Assembly October the 12[th] 1683 p. 26

This house desire the vpp[r] house to Take into Consider-accōn the Objections that Cap[t] Orsborne a member of this house sh[all make] To the places Appoynted for Towne or Townes in Pocomo[ke River]

[Signed p Order] C. Boteler Cler &c.

Cap[t] Orsborne and M[r] ff
The house Adjourne Clocke

Satterd
The house mett and Called
Then was read
M[r] ffrizby p[r]sents to this house the following message last night sent by him and Cap[t] Ors

Upper house October the 12[th] 1683

Places for Townes altered In Cæcill County

This house for reasones offered by M[r] ffrizby for A[lter]accon of places for Townes in Cæcil County are willing the places be as followeth

1 At Cap[t] Johns Creeke William prices plantaccōn In Elck River
2 Sassafrass River William ffrisbyes plantaccōn
3 Att worton Creeke.

Signd p Ord[r] Tho: [Grun]win Cler. &c

Cap[t] Orsborne alsoe reports to this house th[t] the vpp[r] house desires to Speake with Cap[t] Smith before they Answere to the matter of in Som[r]sett County

A proposall Concerning sending Burgesses from Townes

Proposed by a member of this house whether any of the places afores[d] appoynted for ports &c. Ought to be Enabled to send Burgesses to the Assembly Till there be a Sufficient number of Inhabitants to bear the Charge of such Their Burgesses and whether a Clause Ought not to be Incerted into the bill for Advancement of Trade to That purpose:

Voted that none of the places Appoynted for ports &c send Burges till the Inhabitants are Capable of beareing the Charge and that a Clause be Incerted To that purpose into the bill for Advancement of Trade.

Then Came M[r] Secry Sewall from the vpp[r] house with the following message

L. H. Journal Original.

Upp[r] house October the 13[th] 1683

This house is readie to heare the Burgesses of somersett County as to places Appoynted for Townes in Pocomoake River.

Signd p Ord[r] Tho Grunwin Cll &c.

Cap[t] Smith and Cap[t] Orsborne Goe to the vpp[r] house according to the last message

The Committee for Advancem[t] of Trad goe out.

Appointing paces for Townes affirmd to be his Lps Prerogative

Cap[t] Smith and Cap[t] Orsborne returne and report to this house That the Appointing places for Townes &c is Affirm'd by the vpp[r] house to be the prerogative of the Lord Proprietary and That his Lōp haveing appoynted the places for the townes in Sommersett County the vpper house say They Cannot alter the same

Proposed by a member of this house whether it be not p. 27 necessary Considering The benefitt and Conveniency of the Inhabitants of Ann Arrundell County that there be a place Appoynted for a Towne in or nere West & Road Rivers in the County afores[d]

In Answere where llowing message.

Lower [house of Assembly October] 13[th] 1683

Message thereby

This house Co[nceive by such reasons as have] been offered by the delegates of An[n Arrundell County That a Town seated] in some Convenient place of West R[iver will far better suit the Conveniency] of all the Inhabitants liveing betw[een Herring Creek and South] River then the place appoynted in [South River and have sent] the said Delegates to offer the reasons to the [Upper house desireing their Con]currence therein

Signd p Ord[r] C Boteler Cler &c.

Cap[t] Hill and Richardsone sent with the message.

Answere by the messengers

They Returne and say that the vpp[r] house seem to Incline to the Alteracōn of the place for a Towne in South River, but say they Cannot resolve till his Lōp Con

The Com for Advancement of Trade Report to this house A Clause to be rted Into the Act for Advancem[t] of Trade as ffolloweth

A Clause to be Added to the bill for advancem[t] of Trade

And the great number of Townes ports & places aforesd may in time to come prove Burthensome to the Publique by Increasing the number of Burgesses in Assemblyes. Be it Enacted by the Authority aforesd That noe towne port or place

above mentioned shall att any time hereafter be EnAbled or made Capable of sending any Cytizen or Cytizens Burgess or Burgesses, Delegate or Deputy to any Assembly hereafter to bee Conveend or Called vntill such time as the Towne or Townes port or ports place or places shall be Actually, Inhabitted by such and soe many familys as shall be sufficiently able and lyable to defray the Charge & Expences of such Delegate and Deputy who shall be Elected and Chosen by the freemen of Each respective Towne or the major part of them without being in any sort Chargable or burthensome to the respective Countyes for or by reason thereof, But that the Charge & Expences of such Cytizenes Burgesses Delegates and Deputyes shall from time to time and at all Times hereafter, be defrayed and borne by the respective Inhabitants of such Towne port or place, for whome they or Any of them shall serve as aforesd, Saveing to the Cyttizens of the Cyttie of S^{t} Maryes all such Rights and priviledges as have heretofore been Granted to th^{m} by his Lordsps Charter L. H. Journal Original.

Put to the question if the foregoeing Clause Ought to bee Added to the bill for Advancement Trade

Voted In the Affirmative

Lower house Of Assembly October the 13th 1683 p. 28

This House desire to knowe if the vpper house have any bill or Other matter to send to this house, Otherwise this house will Adjourne till Munday morning:

[Signed p Order C Bot]eler Clk &c

M^{r} Speaker Acquaints a Minnister lately Come out of England morrow

The house Adjournes

Munday

The house mett and Called all p^{r}sent

Then was read what was Done On Satterday

A bill relateing to vncertayne goods read the 2^{d} time

Then was read a bill Entitled An Act Toutching goods and Chattells whose prop^{r} Owners are vnknown the 2^{d} time

Coll Darnall from the vpper house brings the following message

Upp^{r} house 13th of October 1683:

power to Nominate other Townes reserved to his Lorsp

This house are of Oppinion that in the Act for Townes [a] Clause bee Incerted That his Lō^{p}: the Lord Proprietary his heires [and Su]ccessors Lords & Proprietaryes of this prov-

L. H. Journal Original. ince have power re[serv]ed to him & themselves at any time hereafter, to Nominate any [new] place or places where the people are in want of Towne or Townes to bee Equally priviledged with The Townes mentioned in the sd Act.

Signd p Ordr Tho: Grunwin Cler &c.

The Committee for Advancement of Trade report to this house the following Paper

A Clause to be Added about building 5th Article: And the same or any Other manner of settleing or building vpon such lott according to the Direccons of this Act shall be a perpetuall Barr, to the Owner or Owners or any person Interested in the sayd land whether within or without this pvince Even agt his Lop the Lord Proprietary of this province his heires and successors saveing the rents hereby in this act to his Lop: his heires and Successorrs reserved

Put to the question whether the foregoeing Clause shall be Added to the Act for Advancement of Trade Yea or Nay

Voted in the Affirmative

A bill about Horses ordrd to be drawne Mr Richard Hall Added to the Committee for Inspecting the Lawes for drawing for drawing vp a bill to lessen the number of Horses within this province

A message to desire places for Townes may be more particularly Assertayned Major Weekes & Mr Hosier sent to the vppr house To desire them more particularly to Assertayne the Places for Townes: They Returne An say That the vppr house doe suppose the Commissioners in the Act mentioned have power To Assertayne the places soe that the same be not to farr from the

Answere places in the paper message of the 11th Instant mentioned

The house Adjournes Till To morrow morning seven a Clock

p. 29 Tuesday October the Sixteenth 1683:

The house mett and Called all prsent as yesterday.
Then was read what was done yesterday.
Then Came Coll house wth the following paper

Uppr [house 16th October] 1683

Notice of the Tryall Jacob Young This day [being appointed for the Tryall] of Jacb Young this house doe [give Notice that they are] ready to goe vpon the said Tryall [if the Members of the Lower house app]oynted to mannage the [Impeachment are ready to prosecute the same]

Signd p Ord. Tho: Grunwin Clk &c

vnto was sent the following message

[Lower] house of Assembly October the 16th 1683: L. H. Journal Original.

Answere. This [being the day] Appoynted for the tryall of Jacob Young this house Doe Acquaint the vppr house thᵗ the members of this house Appointed to that End are ready to mannage the same if the severall wittnesses be summoned and readie to give their Evidence as was formerly desired by this house

Signd p Ordr C Boteler Cler &c.

Mr and Captᵗ Peerce sent with the message

They returne and say they have delivered the same

bill about Horses read the first time Then Came Committee for Inspecting the Lawes Into this house & prsent to the house a bill Entiled An Act for the Lessening the Number and bettering the breed of horses within this province

Which bill was read the first time

Coll Burgess from the vppr house brings the following message

Uppr house of Assembly October the 16th 1683

Another message about Youngs tryall This house have Caused the Evidences agᵗ Jacob Young According to the desire of the Lower house by message of the 8th Instant to be summoned And if the members of the Lower house appoynted to mannage the Impeachment agᵗ him, are readie with their Evidences, This house Doe Appoynt Two of the Clocke afternoone of this day for the time, And for some reasones the Lower Roome Commonly Called the Court Roome is desired for the place

Signd p Ordr Tho: Grunwin Clerke &c.

Mr Hall sent to Call in the members for mannagement of the Charge against Jacob young: he returnes Answere it will bee an hour before They Can be ready.

Then was read the following peticon of Ann Young

To the Honorable the Lower House of Assembly

An yongs peticon The humble peticcon of Ann Young

Humbly Sheweth

That your peticoner hath Attended ever since the begining of this Assembly wth severall wittnesses at very great Expence to the great Impoverishing of your peticoner and her Children, p. 30 And yor peticoner Did long since hope to have yor peticoners Husband brought to his Tryall wch if it should bee much deferred the Expence will vtterly ruin your poor Children: Husband may

Your peticoner Hum may have be suddaynly brought to Notice of the time App

L. H. Journal Original. Some paper Evidence agt Young wanting

The members for Mannageing And say the papers now delivered then agt Jacob Young are not the same which they Assembly, but that severall materiall papers are

Then Came Major Truman from the vpper house desires to knowe if this house will proceed vpon the Tryall of Jacob young to day:

To wch Mr Speaker replyes this house will send Answere prsently:

Then was drawne the following message

Lower house of Assembly October the 16th 1683

Tryall putt off till To morrow

The members of this house for mannageing the Impeachmt against Jacob Young, have reported to this house that several of the paper Evidences in a message from this house of the Eighth Instant mentioned are wanting And therefore This house desires that the Tryall may be refferred till Nine of the Clocke to morrow Morning:

Signd p Ordr C. Boteler Cler &c.

Capt Smith and Mr Richardsone sent with the Message

Mr Secry Sewall from the vppr house brings the following message.

Uppr house October the 16th 1683

This house Concurr and Agree with the Lower house in their last message by Capt Smith and Mr Richardsone

Signd p Ordr Tho: Grunwin Cl: &c

The House Adjourne till to morrow morning 7 a Clock

Wedensday October the 17th 1683

The house mett and Called all present as yesterday

Then was read what was done Yesterday

Then was read A bill Entitled An Act for Lessening the Number and bettering the breed of horses within this province The 2d time and Taken into debate: but the Debate referrd:

The members for mannageing the impeachment report to this house That they are readye for the Tryall

Mr Carvile sent to the vppr house to acquaint them that this house is ready for the Tryall of Jacob Young And the mem-

p. 31 bers prepared for for mannageing the Impeachment against him

The house Adjourne till 3 of the Clocke afternoone

The house mett and all prsent as before.

bill about Horses Committed for

The bill Entitled ning the number and bettering the into further debate voted that for Amendments morning 7 a Clock:

tober the 18th 1683 L. H. Journal Original.

all p[r]sent as yesterday

read what was done yesterday

Major Thomas Long and presents himselfe too This house as a Delegate Elected for the County of Baltemore in the place of M[r] Miles Gibsone disabled from sitting in this house by reasone of the office of Sherriffe Conferred On him M[r] Carvile sent to the Chancello[r] to Inquire for the returne of the writt of leccon of the said Major Long.

Major Long newly Elected for baltemore County: p[r]sents himselfe.

Capt Henry Johnson a member of this house being very sick prayes to be Asbent for the recovery of his health, which is granted to him.

M[r] Carvile returnes and brings with him the Indenture Wittnessing the Eleccon of Major Thomas Long to serve as a Delegate for the County of Baltemore, w[ch] being read and this house satisfyed with the Due manner of this Election of the said Major Long, he Takes his place, And the Indenture sent back to the Chancello[r]s by M[r] Carvile

And is Admitted

Coll Darnall from the vpp[r] house, desires M[r] Burford and M[r] Carvile may be sent to the vpp[r] house.

The Committee for Advancement of Trade, Enter the house with the bill for Advancement of Trade, Ingrossed and Examined.

M[r] Burford and M[r] Carvile sent to the vpper house with the sd and the message ffollowing (viz[t])

Bill for Advancement of Trade sent vp

Lower house of Assembly October the 18th 1683

This house have Caused the bill for Advancement of Trade to be Twice read have passed the same to Ingrossment, but haveing answere from the vpp[r] house that the ports or places Desired to be altered by the respective members of this house, Could not be done in his Lopps Absence soe that the blanks left in the sayd bill Could not yet bee filled vp: This house notwithstanding desireing the dispatch of all matters before them have sent vp the sayd bill as it is to The Consideraccon of the vpp[r] house Desireing likewise the Assent of the vpp[r] house to the bill for Eleccons, haveing layne soe long in the vpper house since the Conference [at w[ch]] time this house is well Assured to have given suffi[cient Reasons] passing Thereof p. 32

[Signed p Order C Boteler] Cler &c

The following message Smith

L. H. Journal Original.

Lower [house October the 18th 1683]

Committee of Accounts desired

This house desire the vp[per house to Appoint some Membe]rs of Their house to Joyne in Committee [with some Members of this] house to State and settle the publique debts and Accounts of this Province

Signd p Ordr C Boteler [Cler &c]

Then Came Mr Secry Darnall wth the following message

Upper house October the 18th 1683

A message Concerning Jacob Young

This house haveing seariously Considered of the whole Tryall of Jacob Young & of the Wittnesses produce't agt him, & all Other Circumstances in relation to the same, are of Opinion that the severall evidences sworne agt are not sufficient in law to take away the life of the sayd Jacob nor member of him Yett doe beleive, and Certify hereby tht by the severall Evidences Circumstances therevnto belonging: There is Sufficient to Imprisone the Jacob dureing pleasure & Therefore desire the Concurrence of the the Lower house in drawing vpp a bill of Attaynder agt him And tht he may be imprisoned Dureing the pleasure of his Lōpp and both houses of Assembly:

Signd p Ordr Tho Grunwin Clerke of the Assembly

Then Came Coll Diggs and Coll Stevens with a message which followeth (vizt)

Upper house October the 18th 1683

Comtee of Accots Nominated for the vppr house

This house have Appoynted Coll William Stevens & Coll William Diggs to Joyne with members of the Lower house as a Committee for stateing the Publique Accounts who are readie when ever the Lower house shall Nominate their members for that ppose and shall give Notice to this house that they are readye. As

Concerning the bill of Eleccōns

to the bill of Eleccōns There is One drawne by this house & past to Ingrossment and when Ingrossed shall send the same to the Lower house

Signd p Ordr Thomas Grunwin Clk &c

Vote of the Lower house about Jacob young

Vpon Debate of the message this day by Mr Secry Darnall Concerning Jacob Young: Itt was put to the Vote whether this house shall Joyne with the Lower house in a bill of Attaynder as by the sayd message is Desired Yea or Nay:

Passed In the Negative

Upon wch vote was drawne the following Message: Vizt

Lower house of Assembly October the 18th 1683: L. H. Journal Original.

Message therevpon This house Cannot Concurr wth the vppr house in the message sent this day to this house by Mr Secry Darnall Concerning a bill of Attayndr agt Jacob Young:

Signd p Ordr C Boteler Clk &c

Captt Smith Majr Long Mr ffrizby and Captt Orsborn sent with the message, who return and say they have delivered the same. p. 33

Bill of Eleccōn by the vppr house to by the vppr house Coll Burgess and Coll Stevens from the vppr house prsent to this house A bill Entitled An Act of Electing Burgesses &c Assented too by

bill about Horses referred The bill for ering the breed of horsses &c. further Debate till to morr

The vppr houses bill of Eleccōns read the first time Then Desireing the manner of Electing The first time Adjournes till to morrow morning 7 a Clock

Fryday October the Nineteenth 1683

The house mett and Called all prsent as Yesterday
Then was read what was done Yesterday

Bill about Horses past to Ingrossment Then was Taken into further Debate the bill for Lessening the numbr and bettering the breed of horses &c and past to Ingrossment

The vppr houses bill for Elections read the 2d time and Debated Then was read the bill entitled An Act Directing the manner of Electing and summoning Burgesses Delegates Delegates & Representatives to serve in succeeding Assemblyes the second time & taken into Debate, Wherevpon this house

Amendmts thereto pposed Consider of severall Alteraccōns and Amendments to be made in the sayd bill, such Alteraccōns and amendments to be drawn vp: by the Committee for Inspecting the lawes According to Direccōns from this house received: who goe out.

Lower house of Assembly October the 19th 1683

Member for a Committee of Accots nominated by the Lower house This house have Appoynted Mr Clemt Hill, Mr James ffrizby and Mr Richard Hall To Joyne with Coll William Stevens & Coll William Diggs members nominated for a Committee to State and Settle the publique Debts and Accounts of this province who are now readie to goe out vpon the same

Signd pr Ordr C Boteler Cler &c.

L. H. Journal Original.

Mr Clemt Hill & Mr James frizby sent with the message to the Vppr house. returne and say the have delivered the same Major Truman from the vppr house with the ffollowing message

Upp[r] house of Assembly October the 19th 1683:

Message about Jacob Young.

This house haveing seariously Considered of the Tryall of Jacob young the Evidences that has been Examined agt him, & all other Cyrcumstances Relateing to the same, Doe find these things following very Clerely prooved Agt him the sayd Jacob young:

That in the yeare of Our Lord 1677: when Coll Henry Coursey was Impowr'd by a Commission from the Honoble Thomas Nottly Esq Deputy Governour of this Province, and
p. 34 the rest of the Councill to goe to fort Albany, & to negotiate A peace wth the Northerne Indians, And vs his Majestyes Subjects of this province & for the Pascattaway Indians at wch time he the said Coll Coursey after his Comeing to fort Albany Told the sd Jacob [that his Commission was] to Conclude a peace (if possible) for the good of this p[rovince and also for the Pascatteway] Indians, The sayd Jacob made Answere [that if he had known so much before] he Came Thither That the Sasquehan[noughs had not to have been included in that peace he] would Rather have Given [20000li tobacco than have] Come with him; Proved by the Oath of Coll [Coursey and that in the year 1682 when] Coll Coursey & Coll Wm Steevens were [sent as Agents to the northern] Indians, when the northern Indians Came and [besieged the Pascatteway Fort] At which time, Jacob went as Interpreter, and the sd [Jacob being required] by the said Jacob to Aske the Northern Indians, why they Came downe to Warr with the Pascattaway Indians, Contrary to Articles of peace Concluded with them in the yeare 1677: wherein the Pascattawayes were Included, Att wch the sayd Jacob said nothing for some small time, but [after] made answere That if he had thought he should have spoke of any such [thing] to the Northerne Indians, he would Rather have given Tenn Thousand pounds of Tobacco then have Come to Interprett vpon that Accot proved by the [oaths] of Coll Coursey and Coll Stevens. And since his Imprisonmt the sayd Jacob hath vttered These words, That he had pr served Maryland Twice, but have a Care of The Third time Proved by Edmund Denniss. And also vttered these words that those that Caused the Irons to be putt vpon his leggs should pay Dearly for it when he was at liberty proved by the Oath of John Higdon And Moreover the said Jacob Spoake, that the said Susquehanoughs were an Innocent people, and that he Could make them and the sd Northern Indians Doe what he pleased,

Proved by Jossua Doynes Oath, All these matters foregoeing proved by Christian Evidences, besides the many things proved before Coll Coursey and Coll Loyd in their last Agency at for Albany by the Indians; And we his Majestyes Subjects being very sencible that for severall yeares last past the said Northern Indians mixt with the Susquehanos made Divers Incurrtions into this province and Committed many Robberys In it, And this house haveing seriously Considered, the great Influnce the sayd Jacob, hath vpon the sd Suquesahanough & Cynego Indians and what a Dangerous persone, he is to this Goverment Desire th^t the Lower house will reassume their debate, Toutching him the sayd Jacob, And Joyne w^th this house in Voteing that the sd Jacob may be Imprisoned Dureing the pleasure of the Right hono^ble the Lord Pprietary and both houses of Assembly L. H. Journal Original.

Signd p Ord^r
Thomas Grunwin Clk of Assembly

The Debate reassumed vppon the foregoeing message, And put to the question whether this house shall Joyne w^th the vpper house in a Vote for the Imprisonment of Jacob as desired by the last message Yea or Nay P. 35

Voted

Vpon Consideraccon of priviledges & Elections of Ninth keeping of the Roles of lawes of

Order Concerning the Roles of lawes Order the book Lawes, be Entered Into hon^oble the Secretaryes or their Order vpp^r house to desire their Concurrence

In the last message of the vpp^r house Concerning Jacob Young was Drawne the message following (viz^t)

Lower house of Assembly October the 19^th 1683:

Answere to the message Concerning Jacob Young: This house haveing Impeached Jacob Young vpon the severall Crimes layd Downe in the Impeachm^t drawne ag^t him & the same psecuted by the severall members of this house for that end Appoynted, According to such Evidence of [matter] and things as did Appeare before them Did then Leave him and his [Cri]mes to the Censure and Judgm^t of the vpp^r house, soe that this house Conceives it noe wayes fitt to Concerne themselves in giveing any sentence any sentence or Judgm^t ag^t the prisoner who themselves have both Impeached and prossecuted

Signd p Ord^r C Boteler Cler &c.

Major Long and M^r Green sent with the foregoeing Message
The house Adjourn Till To morrow morning 7 A Cloke

L. H. Journal Original.

Sattarday October the 20th 1683

The house mett and Call'd all present as yesterday:
Then was read what was Done yesterday
Mr Secry Sewall from the vppr house desires the booke of Lawes
Mr Speaker Answeres this house will send it
Mr Ennalls sent therewith

Lower house of Assembly October the 20th 1683

Message Concerning the Roles of lawes

This house haveing taken into their Consideraccon tht None of the Lawes of the last four Sessions of Assembly have been entered Into the body of Lawes but tht the same ly in the Office in single sheets much Torne stayned and Impaired This house desire the vppr house to Concurr in Voteing That the secretaryes of this province Cause the sayd Lawes to bee Entered In the booke of Lawes in a faire sett hand

Signd p Ordr C Boteler Cler &c.

p. 36 Mr Hatton and Mr Hill sent with the foregoeing message. They returne and say they have delivered the same.

Concerning warr & paying charge brought

Mr Richardsone from the Committee
specting the Lawes prsents to the Consideraccon
of this ho Act Toutching the Leavying of
warr & defra province.
Coll Stevens from the message

Upper ho[use 20th October 1683]

Concurrence to the Transcribeing the Lawes

This house doe readily Co[ncurr with the last Message by Mr Hatton and Captain] Hill And the secretaryes have now Ord[ered the Acts not Transcribed] to be Transcribed in a faire sett hand

Signd p Ordr Tho: Grun[win Cl of Assembly]

Coll Diggs from the vppr house brings the following

Upper house October the 20th 1683

A message About Mr Duell Pead

This house haveing taken into their Serious Consideraccon the great Care and Kindness of our Soveraigne Lord, In giveing Charge to the Right Revend ffather in God the Bishop of Canterbury to supply this pvince with able and devout Minnisters, whereby the people may know their Duty to God and their Obedience to their Rulers, do request the Lower house of this Assembly, To Joyne with This house in Giveing Thanks to Mr Duell Pead for his Learned sermon preached before these Two houses, The 14th Instant,

And that some Acceptable p[r]sent be given him for the same and this house is willing to Concurr with them therein: L. H. Journal Original.

Signd p Ord[r] Tho: Grunwin Cler &c.

The debate referred

The Debate of the foregoeing message refferred to a full House

Amendm[ts] to the vpp[r] houses bill for Eleccōns

The Committee for Inspecting the Lawes Come into the house and report severall Amendments and Alteraccōns, to be made to the bill ffor Eleccōns:

The bill Concerning leavying warr read twice and past to Ingrossm[t]

Then was read An Act Toutching the Leavying of warr and Defraying the publique Charge of this province the ffirst and second Times by Speciall Order of this house and past to Ingrossment

Then was read the Amendments and Alerations to bee made To the vpper houses bill Entitled An Act Directing the Manner of Electing and Summoning Burgess &c:

M[r] Ennalls sent to the vpp[r] house for the bill of Elections formerly Sent to the vpp[r] house from this house

He Returnes and brings it with him

The Committee for Inspecting the Lawes of this province Goe vpon their Charge

The House Adjournes Till Munday morning Seven A Clocke

Munday October the 22[th] 1683 p. 37

The house mett and Called all p[r]sent as Satterday

Then was read what was done A Satterday

The bill about warr read the past

Then was read a bill Ent for Leavying of warr and Defraying the Pub vince the Thīrd time and Assented Too

Co

bill from the vpp[r] house the message.

[Upper house 20th October] 1683

A message relateing to the Act for Advancem[t] of Trade

[This house have read] and Considered the Act for Advancement of [Trade and his Lordship] hath Nominated these following places for Townes (viz[t])[shipping] Creeke als Coxes Creeke Kent: to fill vp the blancke Therefore left, Ann Arrundell County: South River On Coll Burgesses land to fill vp the blanck there left. Calvert County, On John Bowlings land nere Gants land Instead of Gaunts land, Grayes Inn Creeke at New Yarmouth for A Town in Kent County Alsoe as to

L. H. Journal Original. Entering and Cleering of Shipps in a [Cla]use in the sayd bill mentioned, This house doe thinke the same may be left to his Lōpp as formerly the same office is of very Great Concern Not Onely to his Lōp, but to the king alsoe, And soe not fitt to be trusted, but in very good safe and Capable persones hands And it may Happen That such persones may not be found seated Conveniently for that purpose in Every County In all things Elce this house doe well Approve of the sayd bill

Signd p Order Tho: Grunwin Cler &c.

The Act for Eleccōns wth Amendmts past the Lowr house

The bill for Directing the manner of Electing and summoning Burgesses Delegates &c, wth the Amendmts and Alteraccōns therein made was read the Third time And Assented too by this house

The sayd Bill as alsoe the bill Toutching Levying of warr &c were Sent to the Vppr house by Mr Thomas Burford Mr Robert Carvile Mr John Rousby and Mr William Hatton.

the bill about Horses Assented too and sent vp.

The bill for Lessening the Number and bettering the breed of Horses Read the Third time And Assented too by this house:

Mr Clemment Hill and Mr ffrancis Hutchings sent vp there with

They returne and say they have delivered the same

Then Came Coll Diggs and majr Truman wth the booke of Lawes and the following message, from the vppr house

Upper house October the 22th 1683

ffurther message about Jacob Young

This house haveing Once more debated the business of Jacob Young and the Crimes that are Layd to his Charge in his Impeachmt & of what is proved agt him Cannot Thinke it reasonable or safe to Suffer
p. 38 him the said Jacob To goe at Large, And since he hath been Impeached by the Lowr house, This house Thinke it the best way of proceeding, That some members of both houses be Appoynted, for a Committee Committee to draw vp A bill against him the sayd Ja[cob to secure him] from any future mischeife To this Goverment, and soe [to pass it into an Act as in the] Case of Edward Husbands may Appeare In A[n Assembly held at St Maries] The 20th day of October 1678: And Since [And since this Assembly has so good a President for it] This house desires the Conc[urrence of the Lower house herein it bei]ng for the Safety and security of the Government

Signd p Order Tho. Gr[unwin Cl of Assembly]

Votes Concerning Mr Duell Pead

Then was Taken Into Consideraccōn the message of about a Gatuity to Mr Duell

Pead for his Incouragm[t] to ꝑvince And after a serious Debate vpon the same, It was put to the question Whether (besides the Thanks of this house) the sayd M[r] Pead shall bee p[r]sented with any sum of Tobacco as from the Publique Yea or Nay L. H. Journal Original.

Voted in the Affirmative

Then Put To the question whether the summ of Ten Thousand pounds shall bee the summ to p[r]sent him with Yea or Nay:

Voted in the negative

Message about Jacob young further debated

Vpon Consideraccō and debate of the last message sent to this house relateing to Jacob Young: It was putt to the question whether this house shall Concurr with the vpp[r] house as is desired by the sd message yea Or Nay, Voted in the negative

And Ordered that an Answere be drawne to the sayd Message Accordingly as foll:

Lower house of Assembly October the 22[th] 1683

Answere to the vpp[r] house about Jacob Young

This house haveing reassumed the debate Toutching Jacob Young vpon the message this Day received from the vpp[r] house, Doth not think fitt to receed from their Vote Of the 19[th] Instant sent from this house To the vpper house by Maj[r] Long and M[r] Green And therefore Cannot Concurr w[th] the request of the vpp[r] house In the Joyning in Committee as Is desired

Signd ꝑ Ord[r] C Boteler Cler:

Cap[t] Smith and Cap[t] Orsborne sent w[th] the foregoeing Message.

They returne and say they have delivered the same

The message of yesterday relateing to Trade Considered

Then was Taken Into Consideraccō the message of this Day relateing to the Bill for Advancement of Trade, And Ordered that M[r] Robert Carvile and M[r] John Rousby drawe vp

Answere Ordered to be Drawne.

An Answere To the sayd message pursueant to the sence of this house who goe out vpon the same

Coll Stevens brings from the vpp[r] house the petticcō of Steven Gary Late High Sher of Dorchester County: Whereon was Endeorsed as followeth

(Viz[t]) Upp[r] house 22[th] October 1683: p. 39

This peticcon referred to the Consideraccō of the Lower house where the members of Dorchester County will bee present who in all probability may be know[ing in the matter] peticond for

[Signd ꝑ Order Tho: Gr]unwin Cler &c.

L. H. Journal Original. Then Came M[r] report to this house the fo Charge

[Lower house of Assembly Oct] 22[th] 1683

Answere to the message about Townes and about Entering & Clereing of Shipps

[In Answer to the Message recei]ved this day from the vpp[r] house [relating to the Bill] for Advancem[t] of Trade, Together with the sd bill [This house have] Caused the blancks to be filled vp: According as his Lō[p] [hath there] Nominated the places for Trade In Calvert Kent & Ann Arrundell Countyes And as to that part of the said message Toutching Entering and Cleering of Shipps, and the Clause in the bill relateing therevnto, this house Conceive that the haveing such persones Appoynted [in] Each Respective County, for the purposes therein mentioned will Highly Conduce to the Advancement of Trade & dispatch of the Marchants and ships Concernes, being that in those Countyes where they are vsed to Trade they will with more Ease, and loss of little or noe time procure & find Securityes in such Cases as the Law requires, And have Noe Occasion to be soe long stayed, from their Intended Ports as hereto hath happened to their great Dammage, And therefore this house desire the Concurrence of the vpp[r] house, th[t] the sayd Clause may stand as it doth in the sayd bill being assured his Lō[p] will at all times find persones sufficiently quallifyed for th[t] purpose Conveniently enough seated in Each County within this province.

Signd p Ord[r] C Boteler Cler &c.

which paper being Transcribed and Signd by the Cler of this house was sent to the vpp[r] house by Cap[t] Peerce & Doct[r] Brooke:

Then Came Coll Burgess & Maj[r] Truman with the following message

Upper house October the 22[th] 1683

The vpp[r] houses reply to the Last message

In Answere to the Last message by Cap[t] Peerce and Doctour Brooke Concerning places for Entering and Clereing Shipps this house are as much desirous, as any of the ease and quick dispatch of Shipps and vessells, but doe think to have a Collectour in Every County may not be Absolutely necessary, & that the places hereafter named, for Entering & Cleering Shipping w[th]in this province may have the Lower houses Concurrence w[th] this house to the same Viz[t] ffor all the Westerne side of this province Wycocomoco S[t] Maryes Puttuxent & Ann Arrundell, for the Easterne Side Talbott and Summersett:

Signd p Ord[r] Tho Grunwin Cler

Putt to The question if this house shall Concurr w^th^ the vpper In the matter of their last message Yea or Nay: L. H. Journal Original. p. 40

Voted In the Affirmative

The house Adjournes [till to-morrow] morning 7 A Clock

Tuesday [23^d^ October] 1683

The house mett and

Then was read

Then was read A bill Entitled An

amendments agreed on by both houses

M^r^ Clemment hill and M^r^ James ffrizby from the Report that there is before the sd Comtee severall petic Sherriffs within this province, praying Allowance from the publique for Leavyes by them lost, by the runng away of some and Dying Insolvent of Others of the Taxable persones of their respective Countyes,

Vote about Sherr: vpon Consideraccon whereof it Is Voted by this house Th^t^ all questions about such matters ariseing, shall be decided by the Justice of each respective County Court, and the sherriffs Allowed for such Losses out their County Leavyes, by the Discretion of the sayd Justice The members aforesd alsoe report, that there is before them in the sd Comtee, The peticcons of Peter ffernandez and William Shute, for mainteinance, being both Souldiers wounded at the Susquehanough fort and much Disabled by their wounds:

Wounded Souldiers allowed Voted That Peter ffernandez be Allowed 3000 pounds of Tobacco.

And That William Shute be Allowed 2000 pounds of Tobacco.

Then was read a bill Intitled An Act for Regulateing The Tares and Abuses In Tobacco hogsheads the first time

The House Adjourne till To morrow morning 7 a Clocke

Wedensday October the 24^th^ 1683

The house mett and Called, all p^r^sent as yesterday

Then was read what was Done Yesterday:

Then was read A bill Entitled An Act for Regulateing the Tares & Abuses in Tobacco hogsheads: The second time and After Debate Therevpon Committed for Ammendm^ts^

A Complement Voted By this house that a message be forthwith drawne Expressing This houses Gratitude To his Lordsp: the Lord proprietary: for Conveening this Assembly and Appoynting this provinciall Court to bee held

L. H. Journal Original. p. 41

in this place, soe nere the Center of his Lordsps province for the great ease and Generall Conveniency of the Inhabitants thereof and ffurther to desire his Lop: to signify to both houses what place his Lōp Intends to hold all future Assemblyes and provincall and Offices Att, That this house may take spedy Care to make provision of building for the of.

ffurther deb Mr Duell pead

Vpon further Debate Satterday last Concerning A present to Mr D shall pr sent him with the sume publique Yea or Nay: gative Long & Mr Hosier draw, In Answere to the message of Satterday last: about Mr Pead: all from the vppr house brings the bill for Lessening the Number and bettering the breed of horses & And the ffollowing message relateing thereto

Upper house October the Twenty fourth 1683

Message relateing to the Act for Lessening the Number and bettering the breed of horses

This house have read the bill from the Lower house Entitled an Act for lessening the number and bettering the breed of Horses within this province, but Cannot find that this bill as now drawne will Either Answere the Intent or title of the sd Act for These Two reasones,

ffirst this Act will discourage few people from keeping horse or mare Especially any Single man freeman or persone that is noe housekeeper for the number of horses in each County will lessen the Leavy, that they will pay noe more, or very little more, or it may be less then formerly. This Act lessens not the Number nor betters the breed but Only transferrs the Interest and property of a horse from One to An Other, but still the horse is Alive and Eats Grass & Getts Into Cornefeilds as much as Ever.

This house is very willing and thinke it very necessary tht a law pass for lessening the number and bettering the breed of Horses, And in Order To that this house Offers these propositions to the Consideraccōns of the lower House, Conceiveing the same may Answere the End to which the Law is Intended: (vizt)

1: That six ston'd horses be kept at severall Houses in Every County of 15 handfulls Hight, to be Kept in some Safe Inclosure or house to serve as Stallions, In and for that County:

2: That noe Ston'd Horse be Suffered to Range in the woods, That it shall be Lawfull for any persone to Kill or destroy them at pleasure after a Certayne time.

3 Every man that is willing to have his mare gott with foale

shall bring their mare to One of the sd six places, who shall be Obliged to let his Ston'd horse leap their mares, for 18^{d} in money pd for the same L. H. Journal Original.

4^{thly} To Incourage the destroying of Ston'd Horses every one bringing before a Justice the Stones of a horse, vpon Certificate, shall be Allowed 30 ^{ll} of Tobacco ꝑ horse p. 42

This house desires th^{t} the Low[er house will dr]awe a new bill to the Effect aforesd or any Other w[ay that will answere] the End and Intent, aforesd, And This house shall Concurr the[rein]

Signd [ꝑ Order Tho: Grunwin Cl of Assembly]

Then was read the fol

Lower house October [24th 1683]

Humble Thanks to his Lordsp: for holding the Assembly and Court, soe nere the Center of this province

Your Lōrsps most humble and obedient Servants the v[pper and Lower Houses] of this present Gen^{ll} Assembly, with all Immaginable g[ratitude acknow]ledging your Lōps great Love and Affection: to the good peo[ple of this pro]vince Expressed In your Lōps speech made to your Two houses at the Opening of this Sessions, And more particularly in Conveening this Assembly & appoynting your Lōps provinciall Court to be held in this place soe nere the Center of yo^{r} Lōps Province for the great ease and Generall Convenience of the Inhabitants thereof Doe with all Dutifull Affections hereby p^{r}sent [to] yo^{r} Lōp their most humble and Harty Thanks.

And They Doe further pray yo^{r} Lōp: to signify to both houses what place Yo^{r} Lōp: Intends all future Assemblyes provinciall Courts & Offices, to bee held and kept at, That they may Take Speedy Care to make provision of buildings fitt for the reception Thereof, And this house desire the Concurrence of the vpp^{r} house therein:

Signd ꝑ Ord^{r} C Boteler Cler &c.

Cap^{t} Hill leave to goe home

Cap^{t} Richard Richard Hill desires leave of this house to goe home, his wife being very Sick: w^{ch} is granted to him, soe that he return by to morrow morning:

Major Weikes Cap^{t} Smith, M^{r} Ennalls and Doct^{r} Brookes sent with the Last foregoeing message.

M^{r} Hosier and Maj^{r} Long p^{r}sent the following paper

Lower house the 24th of October 1683:

Answere to the message about M^{r} Pead

This house haveing taken Into Consideraccōn the message sent from the vpp^{r} house the 20th day of October Instant Concerning Giveing

L. H. Journal Original. Thankes and some Acceptable present to M^r^ Pead for preaching his Learned sermon before these Two houses the 14^th^ Instant, This house doe Concurr with the vpp^r^ house That thankes be Therefore given vnto him the said M^r^ Pead, by M^r^ Speaker for and In the name of The Lower house But cannot Concurr with the vpp^r^ house In giveing any p^r^sent according To the Afforesd message.

Signd p Ord^r^ C Boteler Cler &c.

p. 43 M^r^ Hatton and Maj^r^ Long sent with the foregoeing message. They return and say they have delivered the same

Then was Drawne the following message in answere to the message sent from the vpp^r^ house, with horses

Lower house [24th October] 1683

This house vnderstanding [by the Paper Me]ssage this day brought by the [Hon^le^ Maj^r^] Sewall [That their Bill for Le]ssening the number and bettering the breed [of Horses is Rejected b]y the vpp^r^ house, & this [house having Considered of the Proposition] in the said Message Expressed doe desire [the Upper house that they] will Order a bill to be drawne vp Accordingly:

Signd p Ord^r^ C Boteler Cler &c.

hich message was Subscribed as foll

Assent desired to the bill for Eleccons: and the bill for Leavying warr. This house desire the Assent of the vpper house to the bill for directing the manner of Eleccons &c And to the bill Toutching the Leavying & defraying the Publique Charge of this province both sent to the vpp^r^ house the 22^th^ Instant

Signd p Ord^r^ C Boteler Cler &c.

M^r^ Hutchings and M^r^ Green sent with the foregoeing messages

Lower House October the 24^th^ 1683:

This house desire to knowe of the vpp^r^ house if their honno^rs^ have any bill or Other matter to send this house To night or Otherwise this house will Adjourne

Signd p Ord^r^ C Boteler Cler &c.

Cap^t^ Peerce sent to the vpp^r^ house with the foregoeing message

Maj^r^ Truman from the vpp^r^ house brings the following message

Vpp^{r} house October the 24th 1683 L. H. Journal Original.

This house have not Any thing before them that Cann be sent to the Lower house This night:

Signd p Ord^{r} Tho: Grunwin Cler. &c.

The house Adjourne Till To morrow morning seven A Clocke

Thursday October the 25th 1683

The house mett and Called all p^{r}sent as yesterday Except Cap^{t} Hill absent by Leave from this house.

Then was read what was done Yesterday:

Then Came M^{r} Secry Sewall from the vpp^{r} house wth the following message.

Upper house 25th of October 1683

Message about Sentencing Jacob young

This house desire To knowe when the Lower house Can Spare their Roome Commonly Called the Court house roome, This house Intending then to Sitt There and give Sentence vpon Jacob young:

Signd p Order Tho: Grunwin Cler: &c.

M^{r} Hill and Cap^{t} Smith sent with the ffollowing Answere.

Lower house of Assembly October the 25th 1683 p. 44

This house in Answere to the message this day sent by the hono^{ble} Majo^{r} Sewall Doe say that this house will forthwith Adjourne, that their honno^{rs} may make vse of the Room [according to] their desire

[Signed p Order] C Boteler Cler &c:

The House Adjourne a Clocke
The house mett fore
Then

To the Hono^{ble} the Lower Ho

Anne Youngs pett:

The Humble petic$\bar{o}$n of Ann Young wife of
Humbly Sheweth That your petic$\bar{o}$ners Husbands of his long Imprisonm^{t} is much Deminnished and and her Children are much Imporished soe th^{t} Your peticoners Husbands Estate, will not be able to defray the fees now demanded by the Sherriffe, for his Imprisonm^{t} And your petic$\bar{o}$ners Husband is verry fearfull he Cannot procure Securityes for Two Thousand pounds as by his Judgment he is Ordered.

Your petic$\bar{o}$ner Humbly prayes this Hono^{ble} House will pitty and Comisserate her Husbands Condicc$\bar{o}$n, & ppose some

L. H. Journal Original. way to Satisfy the s[d] Sherr his fees, Your petic[ō]ners husbands Estate not being of that vallue to pay the same. And further th[t] this Hon[ble] house will move his L[ō]pp: that the security of 2000 [ll] may be lessened and that his Irons may be Taken off: And your petic[ō]ners shall spend the rest of their lives In praying for his Lordsp: and this hono[ble] House

The Consideracc[ō]n of the foregoeing petic[c]ō[n] referred.

Then Came M[r] Carvile, and M[r] Burford and p[r]sented To this house the ffollowing paper, w[ch] being read in a full House was Ordered to be Entered vpon the Journall of this house, viz[t]

Lower house of Assembly October the 25[th] 1683

Complaynt of the members of this house for Kent County

Vpon Complaint this day made to this house by Maj[r] Joseph Weekes and M[r] Henry Hosier, Two members of this house, th[t] a summons was Issued out of the provinciall Court of this province, Directed to the Sherr of Kent County Dated the 4[th] of October Instant, for them to appeare before his L[ō]p & Councill the 30[th] of October Instant, at this place soe th[t] they did Expect to be summoned by that or some Other p[r]cess of th[t] nature soe soone as this house shall either be prorogued Adjourned or Dissolved ag[t] the priviledge due to member of this house This house Takeing into serious Consideracc[ō]n & finding presidents th[t] the members of parlament have priviledge, Evndo: Morando, redevndo for their persones & their necessary servants, & in some Cases for their goods and Estates
p. 45 alsoe Dureing th[t] time, from suits, Arrests Imprisonm[ts] Attendance On tryalls serveing One Juryes and the like, Yea from being summoned or Called to Attend vpon any suit in Other Courts by Subpœ served vpon them, and that not Onely of the sitting of the parlament Dureing the time of sixteen dayes exclusive and fifteen dayes Incl Every sitting of the parlament And Dureing any Adjournm[t] of

Resolves therevpon T was put members of this house should not have sitting of any Assembly & for some time the sitting of any Assembly in this pvince Resolved in the Affirmative Then further Putt, In what time every member of this house should priviledge before and After the sitting of Every Sessions of Assembly.

Voted that Sixteen dayes Excusive and ffifteen dayes Inclusive is Time little Enough.

Resolved therevpon that every member of this house be priviledged in their persones for sixteen dayes exclusive and ffifteen dayes Inclusive before and After the sitting of Every sessions of Assembly in such manner as the members of parlament England are priviledged:

Bill concerning Tob: hogsheads read the 2d time

Then was read An Act for regulateing the tares and abuses in Tobacco hogsheads the second time, with amendments, L. H. Journal Original.

A bill limmitting the Extent of Attatchments & read the first time

Mr Robert Carvile from the Committee for Inspecting the Lawes reports to this house A bill Entitled an Act Limmitting the Extent of Attachments and Executions &c which was read the first time

A bill phibitting the Offices &c: read the first time

Then was read a bill Entitled an Act prohibitting the Offices of sherr or vnder Sherriffe and Deputy Surveyr to be Officiated at One and the same time by one and the same persone. The first time.

A bill concerning Tobacco hh: Assented too

Then was Read a bill Entitled An Act for regulating the Tares & Abuses in Tobacco hogshead: by Speaciall Ordr of the house, and Assented too

The house Adjourne till Tomorrow 7 a Clocke:

Fryday October the 26th 1683:

The house mett, and Called all prsent as Yesterday:

Then was read what was Done Yesterday:

The bill about Tobacco hogsheads sent vpp

Then was sent to the vppr house by Mr Clemt Hill & Mr Green the bill for regulateing the Tares and Abuses in Tobacco Hogsheads:

Then was read A bill Entitled, An Act for Advancemt of Trade the Third time with its Amendments

Capt Hill Excuses his absence yesterday

Capt Richard Hill prsents himselfe to the house and desires to be Excused his not Coming yesterday: His Excuse Admitted

Coll Low Coll Burgess & Mr Secry Darnall prsent the following message from the vppr house p. 46

Vpper house 26th of October 1684

The Lower house of this Assem[bly sent to this] house the 22th of this Instant month A bill for the Election and Summoning of Delegates representatives and Burgesses to serve in [Succeeding Assem]blyes wch in the preamble and some Other parts wch wan[ted a full Explanation] thereof [this hou]se Could not Concurr with the [Lower house therein] And [yet not di]ffering in true Intent of the sayd bill T[herefore this house hath drawne] vp a new bill and Desires the Concurrence of the [Lower house to the same] It not differing in Subsance from what was desired by [the Lower house]

Signd p Order Tho: Grunwin [Cl of Assembly]

Majr Thomas Long To the vppr house, for this houses bill of Eleccons,

L. H. Journal Original.

He returnes and sayes they will send it by a member of their owne Mr Secry Sewall from the vppr house, prsents the sayd bill—

Then was read the vpper houses bill for Electing and Summoning of Burgesses &c. the first time.

Then Came Coll Diggs from the vppr house with the following message

Upper house, 26th of October 1683

Answere to the message about places to hold Assemblyes at &c.

This house received from the Lower house a message of the 24th Instant Therein desireing that his Lōpp would signify to both houses the places for the Assemblyes provinciall Courts & Offices, wch this house Conceive his Lop: Cannot soe well doe till such time as the bill for Advancement of Trade be first settled & past, Therefore this house desires the dispatch of the said bill & that it be sent vp to this house, And then this house is well Assured his Lōp: will Answere to the sayd Message of the 24th Instant.

Signd p Ordr Tho: Grunwin Cler &c.

Votes about the bill of eleccōns

Vpon Debate Concerning the bills of Eleccōn now before this house The was Putt: whether the preamble of the sd bill shall bee Continued Yea or Nay: Voted in the Affirmative

The question was further putt whether the words (As by their Charter To them Granted) shall be left out Yea or Nay: Voted In the Affirmative:

The question was further put Whether the word (Constituted) shall be Change for the word (Ordained) Yea or Nay: Voted In the Affirmative

Message Ordered to be drawne Concerning the same

Mr Carvile Mr Rousby are Ordered to prpare a message Concerning the bill for Eleccōns, And the bill for Leavying of warr and defraying the publique Charge And alsoe to amend this houses bill for Directing the manner of Eleccōns, According to the foregoeing Votes

The sd members goe vpon their Charge

p. 47

Mr ffrizby a member of this house haveing some vrgent Occasion Desires Leave to be Absent for this night, which is granted to him soe tht he returne before the sitting of this house to morrow morning vndr penalty of being Cen house

Mr Carvile & Mr Rousby ing paper to Mr Speaker

Lower house [of Assembly] October the 26th 1683: L. H. Journal Original.

Answere to the message vppr house Concerning the bill of Eleccons, and the bill for Leavying Warr.

In [Answere] to the message sen[t in Writing to this house th]is prsent day wherein the vppr [house de]sires the Dispa[tch of the Bill] for Advancement of Trade wch till do[ne his Lordship] Cannot soe well give Answere to this house to their message [of the 24th instant] Toutching the Nominateing places where Assemblyes the [Provinciall Court and O]ffices are to be kept, This house doe say that this house did the 22th [Instant send] to the vpper house Two bills passed this house, To wch this house desired the Concurrence of the vpper house soe that they might be ready for his Lōpps Assent, to the same in manner as then drawne, One of them Entitled An Act Toutching leavying of warr & defraying the publique Charge of this province, And four dayes haveing since Interveened this have not yett received any Answere Toutching the same, The Other bill Directing the manner of Electing Burgesses &c wch Bill the vppr house have rejected and Instead thereof have sent a New bill by the vpper house drawne and Assented too in wch is left out the preamble, which was In Substance Noe Other then was agreeable to the preamble of the bill formerly sent from the vpper house to this house, And hath nothing in it disagreeing from his Lōps Charter and Ordinance.

Wherevpon this house Tooke the sayd bill sent this day from the vppr house Into their Consideraccōn, But Cannot Concurr with the vppr house in passing the same as now drawne, but have Caused a new bill for Electing Burgesses to be drawne, and herewith sent to which this house doth desire the Assent of the vpper house, As alsoe to the bill Toutching the Leavying of warr &c & Transmitt the same to this house, And if this house may be [Assured] his Lōp: will Give his Assent to those Two Bills, This house shall then readily Consent to the passing the bill for Advancement of Trade, which hath had Its Third Reading in this house and wants nothing but a vote of this house for its passing to the vppr house for their Assent to the same, soe tht all the Three bills aforesd may receive their Virtue, & being by his Lōps Assent at one and the same time, And then this house shall Cherefully proceed On in the Remaynder of the business before the Two houses to the ffinnishing the same and a Happy Conclusion of this Sessions:

Sign'd p Ordr C Boteler Cler &c.

Act of reviver read the first time

Then was read A bill Entitled An Act of Reviver of the Teporary Lawes The first time

Ordered that the Clerke of this house Transcribe the p. 48

L. H. Journal Original.

paper p[r]sented by M[r] Carvile and M[r] Rousby and Signe the same

Coll Darnall from the vpp[r] house Desires M[r] Rousby may have leave to goe To the Upp[r] house about some ing to the sayd M[r] Rousby

M[r] Speaker Answer send Answere p[r]sently

M[r] Rousby hath the lycence goe vp: as desired

Two bills of Naturalization brought in

Then Came Coll Burgess ouse, And p[r]sents w[th] Two Bills, One for the Natural Nicholas Verbra Other for Naturalizeing of Andrew Pouls alls Mullock Peter Auesone & Mathyas Petersone, and Their Chi

Then was Cap[t] Smith Cap[t] Orsborne M[r] Clem[t] Hill to the vpper house with the bill for Advancement of Trade Eleccōns and the fforementioned paper.

M[r] Secry Darnall from the vpp[r] house p[r]sents the following paper (viz[t])

Upper house 26 of October 1683

Day of Sessions Appoynted

This house desire the Lower house to send the last bill of this house for Eleccōns and Summoning Burgesses &c w[ch] are now in the Lower house, And this house Doe Informe the Lower house, that his Lōp: hath Appoynted Munday next for a day of Sessions:

Signd p Ord[r] Tho Grunwin Cler &c.

Bill for Attatchment past to Ingrossment

Cap[t] Richard Hill sent to the vpp[r] house with the bill as desired

Then was read A bill Intitled An Act Limmitting the Extent of Attatchm[ts] &c the second time and past to Ingrossment

The house Adjournes till to morrow morning 7 a Clocke

Satterday October the 27[th] 1683

The house mett and Called all present as yesterday

Then was read what was Done Yesterday

Bill of Naturalizacōn read

Then was read an Act for Naturalizeing Nicholas Verbraach The first time.

Then Came Coll Darnall from the vpp[r] house w[th] the following message (viz[t])

Upper house October the 27[th] 1683:

A pritty little message

This house desires the Lower house to send the Booke of Lawes to this house

Signd p Ord[r] Tho: Grunwin Clerke &c.

Bill of Naturalizaccõn read. Then was read a bill for Naturalizeing Andrew Poulson alls Mullock Peter Auelson and Mathyas Petersone, and their severall Children now liveing: the first time. L. H. Journal Original.

Verbraach's bill rejected The question was then putt whether the bill for Naturalizeing Nicholas Verbraach shall pass this house, Yea or Nay.

Voted In the Negative

The question was then putt whether The bill for Naturalizeing And Powlson als Mullock &c shall pass the house p. 49

Voted In the Affirmative, & Signd by the Clerke:

Vpon Consideraccõn of the pet Young the wife of Jacob Young This house thinke it not Ne merned therein as desired The business being now Onely his Lordsp: to whome the Ought to App

Or Mr Richard mber of this house Informe th Accordingly

Naturalizacõn bills sent vpp and Mr Peerce Sent to the vppr house with the bill for Andrew Poulsone etc: Assented to And the bill for Nicholas Verbraach Not Assented too, And Ordered that the messengers Acquaint the vppr house tht the reasone why Verbraach's bill is nott Assented too is because the sd Verbraach is noe Inhabitant of this province as is suggested.

They returne and say they have deliverd the same

Then was read a bill Entitled An Act for reviveing the Temporary Lawes the second time

Capt Hill sent to the Uppr house for the booke of Lawes

He returnes and brings it with him

Bill About Attatchments past Then was read an Act Entitled An Act Limitting the Extent of Attatchments And provideing what shall be Leavyed on Attatchments and Executions; The Third time and past this house

Sent vpp Mr Burford and Mr Hatton sent to the vppr house with the sd Bill

They returne and say they have delivered the same

Lower house of Assembly October the 27th 1683:

This House desire to knowe of the vppr house if they have any bill or Other matter to send to this house this Night or [else] this house will Adjourne,

Signd p Ordr C Boteler

Mr Peirce and Doctor Brooke sent with the message

Mr Secry Darnall brings from the vppr house the bill for Advancemt of Trade and a messeage wch being read is as followeth

L. H. Journal Original.

Vpp[r] house 27[th] of October 1683

Message about the bill for Advancem[t] of Trade.

Since the bill for Advancement of Trade is approved on and beleived both by the vpp[r] and Lower houses of this Assembly to be an Act of soe great and Generall Good to this province, and the Trade thereof, This house Doe Once more desire th[t] the Lower House Take it againe Into Their Consideracc̄on and pass the same in the Lower House In Order to makeing the same An Act

Signd p Ord[r] Tho: Grunwin Clerke of Assembly

p. 50 Then Came Coll Low & Coll Stevens and p[r]sent the following paper to this house w[ch] is as foll (viz[t])

Upper house 27[th] of October 1683

In Answere to the message sent in writing yesterday this house doe say that the bill for Advancem[ent of Trade] haveing gone soe farr in this Assembly, This House desire [the Dispatch the]reof That this house may Concurr with the Lower house therein

This house doe wonder after [that matter] was Deemed by [both houses] soe necessary for the good of this province, And haveing Spent so[e much time and] Tobacco, This and the last sessions about the Same, And after all [this be Neglected] because, because this House have Two bills from the Lower [house lying under] their Consideration (That is to say) One bill Entitled An [Act direct]ing the manner of Electing Burgesses, The Other Toutching the Leavying Warr &c To the first this house, Doe say that the bill sent by them, Concerning the Electing Burgesses etc: Though verry little Differing is more Convenient for the Inhabitants of this province, as this house thinkes They Cann demonstrate, for [the] second Bill The same matter is provided by Lawes alreadie made which to Enact a new seemes to Interferr with that Act, which Impowers the Governour & Councill to Make warr or peace with any Indian Enimy beyond the bounds of this province, as alsoe to discharge the Inhabitants of this province from any Supply or Meintenance of The same.

Therefore this house Cannot (without further Consideracc̄on) Concurr with the Lower house in relation to Those Two Bills:

Signd p Ord[r] Thomas Grunwin Clerke

M[r] Carvile and Cap[t] Orsborne sent to the vpper house to desire their honno[rs] To lett this house knowe, what Law it is that is mentioned in the last message with which the bill Desired will Interferr, because the Act therein mentioned which Impowers the Governour and Councill, to make peace or warr with any

[Indian En]imy beyond the bounds of this province this house Conceives is Repealed L. H. Journal Original.

They Returne and say the vpp[r] house Affirme, th[t] the sayd Act is not repealed [be]cause that by An Act made 1681 : that Act w[ch] repeales the sd Act Impowring the Governour and Councill, to make peace or warr etc: Stands repealed, besides th[t] his Lōpp Disassented to the Act for repealing the Act Afforesd

Affter a serious Debate Concerning the same Ordered that M[r] Robert Carvile M[r] Thomas Burford & M[r] John Rousby Draw vp a message in Answere to the last message in writeing from the vpp[r] house by Munday Morning:

The House Adjourne Till Munday Morning 8 a Clocke

Munday October the 29[th] 1683 p. 51

The house Called all p[r]sent as on Satterday

Then was read what was done on Satterday:

Then Came M[r] Secry Darnall p[r] house and Acquints this house, That his Lordsp: Desi nd him in the vpp[r] house presently:

by this house that Answere to Any proposal be made to this ove any matter to his Lōpp as seem meet

house Adjourne into the vpper house

made a speeh Complayning of the delays of this house in ll for Advancement of Trade; w[ch] his Lordsp sayes hee is Confident will produce soe great a good to the Inhabitants of this pvince and beleives the Lower house are of the same Opinion. Therefore Ernestly Desires the Lower house, to putt the sayd bill to A vote for its passage in the Lower house, which is the Cheife Thing, that Can render the Conclusion of this Sessions soe happy as by his Lōpp and both house is desired, And vpon which Termes Onely his Lordsp is Content to putt off the day of sessions: (w[ch] Otherwise His Lordsp Intended should be this Day :) For the settleing some mayne poynts in the Lawes, w[ch] it is necessary should be done this meeting:

His Lōp further sayes He will send a Coppy of his Speech to the Lower house, As soone as it is Entered vpon the Journall of the vpp[r] house If the Lower House desire it

proposall by m[r] Speaker about the bill for Advancem[t] of Trade

Then this house returne to their Owne house, And after Debate Concerning the bill for Advancement of Trade, M[r] Speaker moved the house whether the sayd bill should be putt to the question for its passage in this house, Or that a message should bee Drawne to signify the true Intent and meaning in this h

L. H. Journal Original. their last message of the 26th Instant and to desire his Lōp to deferr the Day of Sessions for some dayes longer in Order to the ffinnishing matters now In debate before this house.

Resolved thᵗ a message be sent, to his Lōp: to signify the True Intent &c and To Deferr the Day of Sessions: as by Mʳ Speaker was proposed

Ordered that Mʳ Carvile Mʳ Burford and Mʳ Rousby draw vp the message Accordingly: who goe Out therevpon,

Mʳ Secry Sewall from the vppʳ house brings his Lōps speech to this house

Mʳ Carvile Mʳ Burford and Mʳ Rousby returne to the house and pʳsent to To the Consideraccōn of the house the following paper: wᶜʰ being read.

Ordered the same be Transcribed and signd by the Clerke of this house

p. 52 Lower house of Assembly the 29th 1683

May it please your Lordsp,

essage signifying and meaning message This house haveing seriously Considered yoʳ Lōps speech this day made to [this house i]n the vppʳ house, and Transmitted to this house in writeing, are [heartily sorry th]at any Expresions in the message by this house sent, the 26th Insta[nt to the Upper house,] by Capᵗ Smith, Capᵗ Orsborne Mʳ [Cle]mnᵗ Hill, and Mʳ Bartholomew En[nalls should give] your Lōp any distast [for this ho]use Did not thereby, ever intend to impose vpon yoʳ Lōp: any thin[g that might] in any sort, Infringe the Least of your Lōps prerogatives Nor did this [house at any time] aime at any thing, might be to yoʳ Lōp prejudice, In yoʳ Just ri[ghts to your Lordship] granted, by yoʳ Lōps Charter, But have been alwayes most [ready and willing to] Consult your Lōps: and the peoples good and well being, Acc[ording to the] best of our Knowledge and Abilityes. In Order wherevnto, this house by their message of the 26th Instant, the rather more ernestly desired the upper house to give their Assent to the passing the sd Two bills therein mentioned, And the vppʳ house being more nere to your Lōps Councills, this house did Desire the vpper house to give vs some Assurance, that your Lōp would give your Assent to the same That the sayd three bills might be pʳsented to your Lōp Together, This house Conceiveing that the passing those Two bills, would Equally give as great Content, and satisfaccōn, and settle the peace of the province & the minds of the people as the bill for Advancement of Trade, And without the Assent of the vpper house to the same, Those Two bills, were not, nor Could bee (as this house pʳsumed) soe fitt to be pʳsented to your Lōp: for your Lordsps Assent. And although

this house could not in the Least Immagine, Yo^{r} Lō^{p} would deny yo^{r} Lower house of Assembly, soe reasonable a request for the settleing of the Certaynty of Electing of delegates, And to p^{r}vent misconstructions vpon Those Two Acts Toutching Leavying of warr, and rayseing and Laying the publique Leavyes soe much Tending to the publique quiett, and Satisfaccō^{n} of the people of this province, And although This [house ha]th had severall debates, before them, Toutching the meanes and wayes wherein they might demonstrate their gratitude to your Lordsp, for all your Lō^{p}s High favours & Condescentions, In some Other manner then by [w]ords Though reall and vnfeigned from our harts, And this house were nere vpon Come To some result therevpon much to yo^{r} Lō^{p}ps satisfaccō^{n} as this house is Assured And had Only referred the finall debate thereof till such time as those Three bills, had past both houses, That soe wee might not Come Empty handed: L. H. Journal Original.

Yet vpon the 27th Instant the Upp^{r} house, sent a message to this house that the first of those bills (to witt) for the manner of Electing Burgesses prepared by the vpp^{r} house was more Convenient for the Inhabitants as the vpper house could demonstrate, then that w^{ch} was by this house drawne and presented w^{ch} this house Cannot Immagine it to bee, And since the difference is so small As is there sayd. This house desired the same might pass in manner as this house requested, And as to the Other bill Toutching the Leavying of warr &c The vpp^{r} house declared th^{t} the same matter was already provided for by Lawes heretofore made, That to Enac[t a New s]eemed to Interferr, wth th^{t} Act which Impowers the Governour [and Council to] make warr and peace wth any Indian Enimy beyond the bounds of [this Province] And although this house is very [Confident] there is noe such la[w now in force,] Yet to take away all debates & disputes thereabouts (formerly [raysed)] for the future, This house hath the [more reason to] be Suitors to yo^{r} Lordsp: to Consent to the passing of those [two Lawes and] to deferr this sessions a little Longer th^{t} so the house may ꝓceede to [the perfecting] the bill for Advancement of Trade, being now vnder Consideraccō^{n} and Amendments, in a materiall poynt & Accomplish what is already begunn and about which soe much time and Charge has been Spent: p. 53

Signd ꝓ Ord^{r} C Boteler Cler etc

The foregoeing message was sent to the vpp^{r} house by M^{r} Burford M^{r} Carvile M^{r} usby and Major Weekes. they returne

Then was Drawne the following message.

L. H. Journal Original.

Lower house of Assembly October the 29th 1683:

Message with a prsent To his Lōpp

Your Lōps most humble and Obedient Servants the vppr and Lower houses of this prsent Genrall Assembly, wth all Immaginable gratitude Acknowledgeing yor Lōps great love and Affection to the good people of this province Expressed in your Lōps speech to your Two houses At the Opening of this Sessions, and more Especially in Conveening this Assembly & Appoynting this provinciall Court to be held in this place, Soe nere the Center of yor Lordsps province, to the great ease and Generall Conveniency of the Inhabitants thereof Doe with all Dutifull Affections hereby prsent to your Lordshipp their Most humble and harty Thankes:

And In further Demonstration of their gratitude Duty & Affection doe pray your Lōps Acceptance of the quantity of One hundred [thousan]d pounds of Tobacco To be Leavyed vpon the Taxables of this province This prsent yeare

And doe further pray your Lordsp: That you please to Signify to both houses at what place yor Lōp Intends all future Assemblyes provinciall Courts, and offices to be held and Keppt at, That a Committee of both houses may forthwith goe out, to Consult the Readiest and Best way of makeing provision of Building fitt for the Reception and Accomodacōn Thereof

Signd p Ordr C Boteler Cler. &c

Voted to be sent vp

Which message being Read: The Question was then putt whether the same should be sent to the vppr house, Yea or Nay:

Voted in the Affirmative

p. 54 Capt Smith Mr Ennalls and Mr Green, sent to the vpper house wth the foregoing message. They returne and say they have delivered the same.

Mr Secry Darnall brings from the vppr house A message which being read is as foll (Vizt)

Upper h[ouse of Assem]bly October 29th 1683.

This house doe desire that [some membe]rs of the Lower house would speedily Joyne with some members of [this ho]use, In Order to draw [vp a Law to] revive the Temporary Lawes [and that] the Law for Assessing t[he Publique] Charge may be alsoe suddaynly perfected soe tht both the same may be [Engrossed before] To morrow Twelve a Clock at noone, for that his Lōp hath[put of the Day of] Sessions till to morrow in the Afternoone At which time [he is resolved to] Conclude this Sessions of Assembly

Signd p Ordr Tho: Grunwin Clerke etc

It was then put to the question whether the bill for Advancem[t] of Trade shall bee forthwith put to the Vote, for its passage Yea or Nay L. H. Journal Original.

Uoted In The Affirmative

The bill for Advancem[t] of Trade past

The Question was then putt whether the Bill for Advancem[t] of Trade shall pass this house Yea or Nay

Resolved in the Affirmative & the Clerke Commanded to signe it Accordingly:

Lower house of Assembly October the 29[th] 1683.

Day of Sessions desired to be putt of. Two bills desired to be Assented too

This house desire the vpp[r] house to Joyne with this house to pray his Lordsp To give his Assent To the bill Directing the manner of Electing Burgesses &c And the bill Toutching Leavying of warr, and Defraying the Publique Charge of the province being Two Bills soe Absolutely necessary to build our peace vpon that his Lōps Condescention therevnto will Assure us of our future Happiness and Tranquilty vnd[r] his Lōps Goverment

Signd p Ord[r] C. Boteler Cler etc:

Act for Advancement of Trade sent vp

Wh age being Read M[r] John Rousby and Cap[t] Hill were sent To the vpper house with the same, And the bill for Advancement of Trade, Assented To by this house as aforesd

Then was drawne the following message: (viz[t])

Lower house of Assembly October the 29[th] 1683:

Members Appointed To draw vp the Act of Reviver

This house Appoynt M[r] Robert Carvile, and M[r] John Rousby members of This house To joyne with members of the vpper house to perfect and finnish the bill of reviver of the Lawes

Signd p Ord[r] C Boteler Clerke &c.

Which being read and Sign'd was sent to the vpp[r] house by M[r] Barthol Ennalls

The House Ajournes Till To morrow morning 7 A Clock

Tuesday October The Thirteith 1683 p. 55

The house mett and Called All present as yesterday:

Then was Read what was done yesterday:

A bill for prventing Arrests of Judgm[t] the first time

Then was read An Act for pre Arrests of Judgments and Stay of Executions the first time

Coll Diggs Comes from the with a message w[ch] being read followeth (Viz[t])

L. H. Journal Original.

Upper house 29th of October 1683:

Members of the vppr house appointed for the Act of Revivall

Th[is house have] Appointed Coll Vincent Lowe & Mr Secry Darnall [Members of this] house to Joyne wth Mr Robert Carvile & Mr John R[ousby in a Com]mittee for drawing the bill of revivall of the Temporary Lawes to morrow nine a Clocke in the morning

Signd p Ordr Tho: Grunwin Clerke &c.

Committee of Accot report their proceedings:

The Comitee report their proceedings hitherto to this house, And desire to know how much is necessary to be Allowed to Thomas Pew the publique post of this province, for his yeares wages

publique post allowed

Voted he be Allowed 6000 ll of Tobacco for This Yeare

Act regulateing Tares &c Assented to p vpr house

Coll Stevens from the vppr house brings The bill for regulateing the Tares and abuses in Tobacco hogsheads Assented too by the vpper house, Also a message which being read is as followeth (vizt)

Upper house October the 30th 1683:

Day of Sessions putt off

This house house have prsented to his Lordsp Their supplication for say of the day of sessions for some longer time, wherevpon his Lordsp hath been pleased, to sett munday next for the day of Sessions, To the Intent that all things now On foot in either house may be fully debated & Come to a faire and Amicable end wch this house hopes is the wish and desire of the Lower house as well as this,

Signd p Ordr Thomas Grunwin Cler.

Mr Secry Darnall Acquaints this house, that the vppr house have appointed To morrow for hearing the Errours in the vppr house of Assembly

Report Concerning the Towne in Brittons bay

Mr Clemment Hill Acquaints this house that He is Informed by severall of the Inhabitants of St Maryes County, that the place appointed for a Towne In Brittons Bay is very Inconvenient, In respect the Inhabitants there abouts must be forc't to come out of Clemmts Bay to the same whereas if the Towne were seated vpon Brittons Neck on the Other side of the sayd bay The Inhabitants of Each bay might land At the same Towne in their respective Bayes

Ordr thereupon

Ordered that Mr Clemt Hill may have liberty to supplcate his Lōpp for Alteraccōn of the same & if the bill for Advancemt of Trade may be sent downe to this house, to bee mended and read vpon the Amendments as by p. 56 the Rules of this house it Ought This house is willing the sd Bill should be mended

Then was drawne the following message (viz^{t}) L. H. Journal Original.

Lower house of [Assembly] October the 30th 1683
This house Acquaint the v[pper house that] the members of this house appoynted to Joyne in Committee [with the Mem-]bers of the vpp^{r} house for drawing the bill for reviveing the La[wes are re]ady to Attend their ho[nours for] the business aforesd:

Sign'd p Ord^{r} C Boteler Cler

Wch being read and signd was sent to the vpp^{r} house by Cap^{t}
They returne and say they have delivered the same
Coll Stevens Comes from the vpp^{r} house with a message w^{ch} foll (viz^{t})

Upper house October the 30th 1683

A message Concerning the Old records

The Secretaryes of this province have Informed this house th^{t} severall of the Old records of this province Concerning land and the Inheiritance of the people of this province, are soe Torne and Injured that there is great difficulty to read them, soe th^{t} in a Little time they'le be wholly vssless to the great dammage of the Inhabitants Thereof Therefore This house thinke it necessary that the sayd records be Transcribed Into faire bookes, And that the Country pay and satisfy for the same And this house desire the Concurrence of the Lower house therein

Signd p Ord^{r} Tho: Grunwin: Cler &c.

Mr Hosier leave to goe home

M^{r} Henry Hosier haveing made it Appeare to this house That he hath verry Urgent Occasion to goe home, Hath leave of this house, to be Absent for the rest of this Sessions if his Occasions soe require
The House Adjourne Till To morrow morning 7 a Clocke

Wedensday October the One and Thirteith 1683

The [house] meet, and Calld all p^{r}sent as yesterday Excep^{t} M^{r} Hosier
[Then] was read what was Done yesterday
Then was Taken Into Consideracō̄n the message sent yesterday by Coll Stevens Concercerning Transcribing some of the Auncient Records of this province relateing to Land & Referred to the further Consideraccō̄n of this house,
M^{r} Thomas Burford was Ordered to Mend the bill for p^{r}venting Arrests of Judgments and stay of Executions by To morrow morning

L. H. Journal Original. Message Concerning Tryall of Errors

Mr Secr Darnall Acquaints this house That the Uppr house are Readie To here the Errors and Desire the Attourneys, wch are members of this house may Attend Accordingly And that the vppr house may have The vse of This Roome for that purpose

Therevpon was Drawne the following message

p. 57

Lower house October the 31th 1683:

The Attourney's which are members of this are ready to Come to tryall vpon the Errours according to the Appoyntment of the vppr house yesterday And this house will forthwith [Adjourne] that the vppr house may have this Roome as Desired

Signd p Order C Boteler Cler &c.

W read and signd: the vppr house
Th Adjournes Till to morrow morning 7 a Clock:

Thursday November the ffirst 1683:

and Called All prsent as Yesterday.

Then was read what was done yesterday.

Then was read a bill Entituled An Act for Changeing the port or place of Trade in Brittons Bay in St Maryes County, The first time

Upon wch reading was Voted the following message (vizt)

Lower house of Assembly November the first 1683.

Concerning Changing a port in St Maryes County

His Lōp the Right Honoble the Lord proprietary, haveing at the humble supplicacōn of the Inhabitants of St Maryes County Expressed his willingness (as this house is Informed) That One of the places or ports mentioned in the bill for Advancement of Trade, Appoynted to be Att Taunts or Baylyes land in Brittons Bay should be Changed or Transferred to Brittons Neck: nerer the mouth of the sd Bay, his Lordsp being Assured that the sd Brittons Neck will bee much more Convenient for the Inhabitants of Those parts in Genrll then the former This house desire the vpper house to send downe the sayd bill for Advancement of Trade, to be mended in tht particular, and this house will returne the sd bill to the vppr house Amended In that part Onely to the Upper house

Signd p Ordr C Boteler Cler: &c.

Which being read and signd was sent to the vppr house by Capt Smith & Mr Hatton

They returne and say they have delivered the same

L. H. Journal Original.

Major Truman brings from the vpp[r] house An Acco[t] of the prysone ffees of Jacob young: w[th] his peticcō̄n, and Indeorsment therevpon which is as ffoll (viz[t])

Upp[r] house 1[st] of November 1683

Jacob Young's pet

This house hath read the peticcō̄n of Jacob young, And the Acco[t] of the Sherr therevnto Annexed for his fees And soe send the same to the Low[r] house ffor Their Consideraccō̄n

Signd p Ord[r] Tho: Grunwin Clk &c

Then was Read the peticcō̄n of the Orphanes of Henry Lewis of Ann Arrundell County deceased, and therevpon voted the ffollowing Message

Lower house of Assembly November the first 1683

pet. of the Orphanes of Henry Lewis

The petticcō̄n of the Orphanes of henry Lewis being p[r]sented and read in this house, And a member of this house Affirming to this house that the sayd Orphanes are Extreamly Injured, by the fraud of their sayd ffather in law, This house doe desire, the upp[r] house, to take the sd peticō̄n into their serious Consideraccō̄n, and give Direccō̄n to the Judges in Testamentary Causes, to doe ther[ein what] by the Lawes and presidents of this province can be done, f[or relief] of the petioners, and for secureing what little remaines of [their Estate] w[th]in this province:

p. 58

[Signed p] Ord[r] C Boteler Cler

The peticcō̄n and message sent to the vpp[r] house by M[r] ffrizby dsone

They returne and say they have delivered the

Then was read the peticcō̄n and Acco[t] of ffees Due from Ja Imprisonement, And refferred till the Affternoone:

Coll Stevens Comes with a message from the vpp[r] house which being reade is as foll:

Upp[r] house 31[th] October 1683:

Answere to a message of the 24[th] Instant about places To hould Assemblyes Courts and Offices at

This house received message from the Lower house of the 24[th] Instant wherein the Lower house Express their Thankfullness to his Lō̄p for his great Love and Affeccō̄n Towards the good people of this province, Exprest in his speech at the Opening this Assembly, And more particularly in Conveening this Assembly and Appoynting his Lops provinciall Court, to be held in this place soe neer the Center of this province And therein the Lower house did pay his Lō̄pp, to

L. H. Journal Original. signify to both houses what place his Lōpp Intends all future Assemblyes, Provinciall Courts and Offices, shall be held and kept Att, That they might Take Speedy Course to make ꝓvision of buildings fitt for the reception thereof:

This house have requested of his Lordsp: th^{t} he would be pleasd To Declare his mind and Intention in the matter aforesd, wherevpon his Lorpp: hath declared to his Two houses of Assembly, That at what place In Ann Arrundell County, there shall bee Conveniencyes built fitt for The [Rec]eption of His Lōpp and Councill, vpp^{r} and Lower house prov[incial] Courts, and Offices for Clerkes, There his Lōp and his heires and Successors Lords and proprietaryes of this province, will Hold the Assemblyes and Courts aforesd for the future, Vnless vpon Occasion he Or they shall thinke fitt th^{t} the same be removed, And that this matter may receive more spedy Dispatch, This house Doe Nominate Coll Henry Darnall and Major Thomas Truman, members of this house to Joyne with members of the Lower house as A Committee for That Affaire

Explanacōn of the word Occasion, desired

M^{r} Thomas Burford sent to the vpp^{r} house to desire them to Explayne themselves, what they mean by the word Occasion in their message of the 31th of October, sent this day to this house by Coll Stevens:

He returnes and sayes, the vpp^{r} house Answere, the Intent and scope of the word Occasion is such as Warr, plague or
p. 59 the like for which an Approach or Stay To or In the sayd place Cannot be made without Extreame Inconveniency and Hazzard

Vpon Consideraccōn of the foregoeing Message was drawne the pap^{r} foll: (viz^{t})

Lower house of Assemb[ly Nove]mber the first 1683:

Explanacōn of Offices Desired

This House desire to knowe wh[ether the w]ord Offices mentioned in the Last message by Coll Stevens [are intended] the Secretarys office Land Office and [the Testa]mentary office.

[Signed ꝓ Order] C Boteler Cler: &c.

The ing read and signd wa vp: by Cap^{t} Orsborne & Cap^{t} Perce

house by Coll Darnall returne the following Answere (viz^{t})

Upp^{r} house 1st of November 1683

Answere.

ff[or Answere of] the Last message by Cap^{t} Orsborne & Cap^{t} Peerce this house Doe [say by] the word

Offices they mean the same Offices Expressed in the Afforesd message of the Lower house. L. H. Journal Original.

Signd p Ordr Tho: Grunwin Cler &c.

ffive messengers bring 3 bills: which are read the first time

Then Came Coll Taylor Coll Low, Coll Darnall Coll Stevens & Major Truman from the vppr house and prsent to this house the 3 bills following:

1: A bill Entitled An Act of gratitude To, And provideing a support for the Right Honoble Charles &c and the heires of his blood for Ever

2: A bill Entituled An Act Ascertayning the true force and Validyty of the lawes of this province passed In the Absence of the Right Honoble the Lord proprietary &c.

3: A bill Entitled An Act for repeale of Certayne Lawes,

Every of wch bills severally receved their first reading, in this house

The sayd messengers alsoe delivered the following paper which being read Conteyned these words: (vizt)

Upper house of Assembly pmo Novembris 1683:

Message Concerning the sd 3 bills

This house will Joyne with the Lower house in praying his Lōps Assent To the bill Directing the manner of Electing Burgesses &c And One Other bill Toutching the Leavying of warr and Defraying the publique [Charge] of the province; As the Lower house by their message of the 29th of [October] last past by Mr John Rousby and Capt Richard Hill have requested, this house well Assureing themselves, That the Lower house will not deny to Joyne againe wth this house in likewise praying his Lordsps Assent, to Three Other bills here[with] sent them (Vizt) An Act Assertayning the True force & Validity of the Lawes of this province &c. An Act of Gratitude &c And An Act for repeale of Certayne Lawes, alsoe of very great Consequence and absolute Necessity for the peace and quiett of this province, all wch sayd severall bills it is the Desire of this house may be prsented To his Lōp Together for his Assent and Approbation as being Most Desirous ready and willing to goe hand in hand wth the Lower house, in matters of soe great moment and Concerne to the province, and Desire herevnto the Concurrence of the Lower house

Signd p Ord Tho: Grunwin Clerke &c.

Then was Drawne the ffollowing message p. 60

Lower house of Assembly November the first 1683:

This house have appoynted Mr Richard Hall Mr Clemt Hill

L. H. Journal Original. & Majr Joseph Weekes to Joyne in Committee [with the] members of the Vpper house to Consider of buildings for rec[eption of Pro]vinciall Courts and Offices, as by the vpper house is Desired In [the last m]essage by Coll Stevens

[Signd p O]rdr C Boteler Cler:

wch being read and signd was sent to the vppr house By appoynted for the Committee, who goe vpon their Charge

Coll Stevens Comes with a message, wch read is as foll

Upper house November the first 1683

Concerning the port in Brittons Bay In Answere to a message this Day brought by Capt Henry [Smith] to this house Toutching the request of the Inhabitants of St Maryes County, doe say tht this house is not at all knowing of his Lōps intention that way, & therefore are not willing to have the Act altered in any part, but if the Lower house thinke fitt to drawe a Supplient bill, for the ease or more Conveniency of Any the Inhabitants of this province, They are willing to Joyne in the same

Signd p Ordr Tho Grunwin Cler &c.

The house Adjournes Till to morrow Morning 7 a Clocke

Fryday November the second 1683:

The house mett and Called all prsent as yesterday

Then was read what was done yesterday

Then was read an Act for Changeing the port or place of Trade in Brittons Bay in St Maryes County the 2d time

The sayd Bill read the 3d time by speciall order of the the house, And then the question was putt whether the sd Bill should Pass yea or nay.

Voted in the Negative

Severall Bills read & Debated The[n was re]ad a bill Assertayning the true force and valdity of the Lawes of the province, past in the absence of the Right Honoble Lord pprietary of this province his heires and Successours Lords & proprerys thereof: The second time and Committed for Amendments

Capt Smith sent to the vppr house for the booke of Lawes

He returnes and brings it with him

Then was read A Bill Entitled An Act of Gratitude to: & pvideing a support for the Right Honble Charles &c and the heires of his blood for Ever, The second time, And To the Question if pass with amendments Yea or Nay

Voted In the Negative

It was then further put to the question An Act for Con-

tinueing the payment of the Imposition of 2 Shillings per hogshead Dureing the life of the honorable Cæcilivs Esq &c shall be new drawne, Altering the name of Cæcilivs for Benedict Leonard Leonard And offered to the Consideraccon of the Lower house. L. H. Journal Original. p. 61

Voted In the Affirmative

Then was Read A bill Entitled An epeale of Certayne Lawes the second time: And After de vpon The Question was putt sayd bill should pass to Yea or Nay.

Voted In the Negative

The Secry Darnall and presents to this house the petition of 6478 ll of Tobacco, Due to the Estate of Daniell Clocker of ty wch pet. was Endeorsed as followeth vizt

Upper house 2d Novembr 1683.

Message about a peticon of James Yore

This house have Considered this peticcon & doe beleive the sum peticond for, Nor any part thereof was ever Yet payd, And doe desire the Lower house would againe Consider this peticon soe that the publique faith may be meyntayned, & the Creditt thereof may not faile

Signd p Ordr Tho: Grunwin Cler &c.

Then was Mr Hall and Mr Richardsone sent to the Upper house with Jacob Youngs peticon and Accot & the following message.

Lower House of Assembly November the 2d 1683:

Message about Jacob Young:

Vpon Consideraccon of the peticon and Accot of Jacob Young sent to this house, this day by the Upper house, This house doe Answere, That if this house Can bee Assured, that the sayd Jacob Young will forthwith depart this province and Goe for Holland Or any Other part of Evrope & first give good and sufficient security, that he will never returne into Any part of America, tht then this house will be willing to Contribute Towards the payment of his fees, tht he may be forthwith discharged, Otherwise it is the Opinion of this house that the sayd Jacob: pay his fees Due to the Sherriffe According to Act of Assembly.

Signd p Ordr C Bot[eler Cler] &c.

Bill preventing Arrests of Judgmt &c read the 2d time

Then was read a bill Intitled An Act for preventing Arrests of [Judg]ment & stay of Executions &c the second time, And vpon debate Thereof, This house Conceive there will not be time Enough to perfect the same this sessions:

L. H. Journal Original. Then was p[r]sented to this house by M[r] Burford A paper, w[ch] being read Conteyned as followeth:

Lowehouse of Assembly November the 2[d] 1683

paper of Amendmts to the bill Ascertayning the lawes &c. In the Last line Except Two of the first sheet of the Act Ascertaining the True force and Validity of the Lawes of this province &c After the words Twenty months let there be Incerted the words following

After the End of, such sessions of Assembly, in w[ch] such Law
p. 62 or Lawes Act or Acts was made as aforesd: The sayd Law or Lawes as in the sayd bill.

And be it further Enacted by the Authority aforesd, th[t] all and Every Law and Lawes, Act and Acts of Assembly which at any time heretofore have passed the vpper [and Lower] houses of Assembly, with the Assent and Approbation of you[r Lordships Lieu][t] Genra[ll] Deputy Leiv[t] or other Gover[r] or Governous, of this province for the time being Dureing [the absence] of your Lōp: out of this province the same Lawes are [and shall] bee held Esteemed and Taken, and are hereby declared to [be good valid] most Absolute and Available in Law According to the true intent purport and meaning of the same, Such Lawes to [which your Lordsps] Disassent hath already been Signifyed and published to both yo[r] Lōpps houses of Assembly Only Excepted

Lower House of Assembly November the 2[d] 1683.

Message with the Amendmts If the vpp[r] house thinke it necessary that the Amendments abovementioned be Incerted Into the bill Ascertayning the true force and validity of the Lawes of this province &c. This house will forthwith pass the sayd bill to Ingrosment Accordingly

Signd p Ord[r] C Boteler Cler &c.

Cap[t] Hill and Majo[r] Long sent to the vpp[r] house, w[th] the Amendm[ts] the message Thereto relateing and the bill in the same mentioned, And are Ordered to desire the vpper houses Answere therevnto this Night, That this house may pass the bill To Ingrossment

They returne and say they have delivered their message

The question was then putt whether the Rates Allowed for liquors & provisions shall as the Committee have Stated them.

Voted In the Negative

Rates of Lyquors Settled This [house] then proceed to the Settleing the Rates and prizes of Lyquors & pro as ffoll

	ll Tob:
A D	12
Brandy Punch	70 p bowle made of a q[t] of Bandy

ll Tob:

Brandy with Sugar	200 p Gall	L. H. Journal Original.
Brandy without Sugar	180 p Gall.	
Rumm w^th^ Sugar	120 p Gall.	
Rumm without Sugar	100 p Gall.	
Rumm punch p bowl	60 made of a q^t^ of Rumm	
Wyne with or without Sugar	130 p Gall	
Cyder and Sugar	25 p Gall	
Cyder without Sugar	20 p Gall	
Oates p^r^ Bushell	80:	

November the 2^d^ Lower house of Assembly p. 63

The Rates aforesd have been Sett by this house vpon the lyquors & pvisions above mentioned And Desire the Opinion of the Upp^r^ house Thereon

Signd p Order C Boteler Cler &c.

Cap^t^ Smith and M^r^ Hatton sent, with tes and Message therevpon

M^r^ Secry Darnall Comes with a being read is as foll:

Upper house November 3^d^ 1683

curr with the Lower house, to the Amendm^t^ In the first Article about the bill for Ascertayning the Lawes, But as to the second Concurr for the reasones which this house will send To to the Lowe house,

Answere to the Amendmts in the Ascertayning Bill

Signd p Ord^r^ Tho. Grunwin Cler

Committee of Accots altered

Cap^t^ Hill and Cap^t^ Smith Ordered to Joyne w^th^ m^r^ ffrizby in the Committee of Acco^ts^ Instead of M^r^ Clem^t^ Hill and M^r^ Hall, who are Taken off, to Considder of building

Ordered that all Acco^ts^ of Expences this Sessions, vpon the Publique be settled & Adjusted According to the Rates and prizes This Day Agreed On by this house:

Cap^t^ Hill sent to desire the vpper houses Answere to the message about Rates this day sent them He returnes,

Then Came M^r^ Secry Darnall and Desires this house to mend their message about Rates On Lyquors, by adding the quantitys for w^ch^ the Rates are Sett.

Which being done, the message is sent Back by Cap^t^ Smith:

M^r^ Secry Darnall Comes with a Message, w^ch^ being read is as followeth

Concurrence to the Rates

This house Concurr with lower house in the the Rates and Prizes within mentioned

Signd p Ord^r^ Tho: Grunwin Cler &c.

L. H. Journal Original. Then was John Larkin the Ordinary Keeper Called Into this house & Ordered Not to delivever any Lyquors to any persone, vpon the Lower Houses Acco^{t} Except a member of the Lower house speake to him for the same

The House Adjourne Till Tomorrow morning seven a Clock:

Satterday November the 3^{d} 1[683]

The house mett and Called, all p^{r}sent as Yesterday:

Then was read what was done Yesterday:

The Committee of Acco^{ts} Report to this house, The Allowances by them made Hitherto, vpon such peticōns Acco^{ts} and Other matters as have lyen before them, It is Therevpon Ordered th^{t} the sayd Committee draw vp a bill for payment of the Publique Charge Accordingly

The Committee for projecting a building, for A Court house, Offices &c present to this house A bill Entitled An Act, for the Erecting and building of a Court house for the Convenience of Holding Courts of Judicature sitting of Assemblyes, and for Keeping the secretarys office: Land Office and Testamentary office in and for this province

p. 64 Coll Darnall brings from the Upper house a message w^{ch} was Read (Viz^{t})

Upper house Novem^{br} the 3^{d} 1683

In further Answere to the message of the Lower house yesterday by Cap^{t} Richard Hill, & Major Thomas Long, This house to that part there of yet vnanswered Doe say that the same to th[em] seemes To Genr^{ll} and therefore Cannot Concurr therewith There haveing b[een a] settlement already made of all Lawes to the Yeare 1678: by an Act Entituled An Act, for Repeale of Cer[tain La]wes & alsoe for Assertayneing what Lawes wthin this province s[ince which there] hath been butt One Sessions of Assembly wherein his Lōp hath not been personally p^{r}sent to Signify his Lōps Assent, And the Lawes then passed fall under severall Quallifications, some perpetuall and some Temporall and of them some Either fallen or disassented too, or Repealed, [most of the Tem]porary lawes have been soe farr Approved of, And deemed soe necessary as to bee Confirmed by Every Assembly since that, & are Conteyned In the reviveing Bill now prepared, Those Lawes w^{ch} may be thought to want Confirmaccōn are perpetuall and of them some Publique and some private and are as ffoll (Viz^{t}) An Act for Keeping holy the Lords Day. An Act for the Due recording of all the Lawes of this province in the secretaryes office, An Act for the Limmitting the County Clerkes fees within this province, An Act for the Naturaliz-

accōn of Joshua Guybert, An Act for the Naturalizaccōn of James Pæan Magdalen his wife Anne Pæan his Daughter and Jacob Lockerman, An Act for Investing the The title of land In Mary Ward of Talbott County as she is Executx of Matthew Ward. An Act for payment & Assessing the Publique Charge of this province An Act for punnishm[t] of Edward Husbands for Cursing & Menaceing the Assembly, All which Lawes if the Lower house thinke fitt, All w[ch] Lawes if the Lower house thinke fitt, This house will readily Concurr w[th] them to have the same Incerted, In the bill Ascertayning the True force and Validity of the Laws of this province &c and hope it will fully Answere the Message of the Lo[wer hou]se

L. H. Journal Original.

Signd p Ord[r] John Lewellin Cl Assistant of the Assembly.

M[r] Secry Darnall brings a Message from the vpper house w[ch] being read is as foll.

Upper house November the 3[d] 1683.

A message Concerning 3 Bills

This house haveing Transmitted to the Lower house One the first Instant Three Bills for their Consideraccōn (viz[t]) An Act of Gratitude &c: An Act assertayning the true force and Validity of the Laws, and An Act for Repeale of Certayne Lawes, Two whereof remaine suspended in the Lower house, This house desire them to Take the same Into Their Consideraccōn, And to signify their Answere to this house by their Concurrence thereto, to the End that both houses may Joyntly & readily proceed to the Dispatch of all business before them, by such time as his Lōp hath been pleased to Appoynt to Conclude this Sessions:

Signd p Ord[r] Jn LLewellin Cll Assistant &c.

concerning the 3 Bills

In Answere to w[ch] last, was drawne following message Viz[t] p. 65

Lower house of Assembly Novemb[r] the Third 1683:

The Three bills in the Last message by M[r] Secry Darnall Mentioned are now vnder the Consideraccōn of this house, and will give their Answere thereto as soon as possible they Cann This house equally desireing the dispatch of all business before them w[th] the Upper house.

Signd p Ord[r] C Boteler Cler &c.

w[ch] be and Signd, was sent to the vpp[r] house by Cap[t] Smith, who was Ord the bill for Assertayning the Lawes &c

nes and brings the bill

L. H. Journal Original.

Verball messages about the Lawes

the vpper house To Acquaint them that if they will Add the Act, for of Certayne Lawes, Made 1678: Into the Act for Assertayning the Lawes of this province, Then this house will Assent to the Act as desired by the Message sent by Coll Darnall.

He returnes and sayes that the Vpper house Answere, they doe not knowe whether his Lōpp will Assent to the Act prohibitting the Imbezelling his Lōps Ordinance as it is Now drawne

Mr Carvile sent againe to acquaint the vppr house, that this house beleive the Act for secureing his Lōps Ordinance as it is now drawne, is soe sufficient to that End, that they have noe need to doubt his Lōps Assent therevnto, Soe that if the vpper house will not proceed wthout tht Act be left out Then this house Cannot proceed further therein

He Returnes and sayes the vppr house Answere, that though the sd Act hath past both houses, and his Lop: hath been there since, yet the house beleives, his Lōp Knowes Nothing of it, but that the house will debate the Matter further, and Send Answere therevnto

Coll Stevens from the vppr house desires that this house would pass the bill for Ascertaying the lawes, as it is, and the vpper house will prepare [some] thing by tht time his Lōp Comes, as shall satisfy the Intent and designe of this

Lower house of Assembly November the Third 1683.

Answere of the Lower house, to the Act Ascertayning Act

This house is very willing to Concurr and agree, with the vppr house in passing an Act for Assertayning all Lawes, made or that shall be made, in the absence of his Lōp, and not Yett dissassented to, if the vpper house be willing to Assent to the same but to draw vp a law short of that end, and wittingly and willingly leave soe many lawes at an Vncertaynty as Necessaryly will be by Leaveing out the Act of repeale made in Anno 1678: This house Conceives noe wayes becomes the prudence of both houses, Especially at a time when prtention is made to Settle and Assertayne the same

Signd p Ordr C Boteler Cler &c.

which message bein read and sign'd is sent vp by Majr Long & Mr Ennalls

p. 66 Coll Stevens brings a message from the vppr house, wch being read is as foll

Uppr house Novembr the 3d 1683:

Security proffered by Jacob Young

Mr Young haveing besought this house, to Accept of Mr James Phillips of Baltemore County and Mr John Cox of Cæcill County, as security

for Jacob Young that he shall within Two months Transport himselfe, Out of this province into some part of Europe and never any more returne into this province or any other part of America, without speciall lycence from his Lōpp, And the Two [houses] of Assembly, This house have Thought to move the same to the Lower house for their Approbation before this house give their result [therein] L. H. Journal Original.

Signd ꝑ Ordr Jn° LLewellin Cl: Asst to the Assembly.

Act for 2s p hh read and past

Then was prsented to this house A bill Entitled An Act for of the Imposition of 2 s ꝑ hh &c and read the first second & Third [time by] speciall Order of the house:

The question was then putt whether the sayd bill should pass this house: Yea or Nay.

Voted In the Affirmative

The sd Bill being Signd was sent to the Upper house, by Mr Burford Mr Hatton Mr Addams, Mr Richardsone Mr Ennalls & Mr Green: who vpon their returne say they have delivered the same

Then was Drawne the ffollowing message (vizt)

Lower house of Assembly November the 3d 1683.

Message about the bills of Eleccōns and Leavying of warr

The Vpper house haveing promised to Joyne with the Lowr house, as by their Message of the first Instant, In praying his Lōp to Assent to a bill Directing the manner of Electing Burgesses &c And One Other Bill Toutching the Leavying of warr and defraying the Publique Charge of the province This house doe Now desire the vpper house, to send Downe their Assent, to the sd Two Bills being the Only proper and Parlamentary way (as this house Conceives) to pray his Lōpps finall Assent to the Same,

Signd ꝑ Ordr C Boteler Cler &c.

Wch and Signd, was sent vpp: by Mr Hutchings & Mr Hatton

Mr S nall Desires the Uppr houses bill Entitled an Act of Gratitude &c wch is Delivered to him

Lower house of Assembly November the 3d 1683:

Concerning the Act for killing wolves

The members of this house Joyned in Committee, for reviveing the Temporary lawes, Reporting to this house that the members of the Upper house of the same Committee will not Consent to the Reviveing the Act of killing wolves, This house therefore move the vpper house to Assent to the revivall of the same, The sd Act standing a Temporary law in the Booke of lawes:

Signd ꝑ Ordr C Boteler Cler: &c.

L. H. Journal Original.

W^ch Message being read and Signd was sent to the vpp^r house by M^r ffrizby and M^r Hosier who returne and say they have delivered the same

p. 67

M^r Secry Darnall Desires this house To dispatch an Answere to the Message about Jacob young: and bring w^th him a message w^ch was read as foll:

Upper house November the 3^d 1683

message about killing wolves.

The Act for killing wolves this house doe say stands in the booke of lawes as a perpetuall Law, but in testimony of their harty Inclinations, fairly to Correspond with the Lower house in all things reasonable, are willing to Reduce the sam[e Act to its] former State, & we Conceive is desired by the Lower house:

Signd p Ord^r John LLewellin Clk Assistant &c.

Then the foll Answere to the message About Jacob youngs security

[Lower] house of Assembly November the 3^d 1683:

Answere to the message about Jacob young

[This house havin]g Taken the last Message Concering Jacob young Into their Considera[tion doe] say that if the sayd Jacob Young w^th the sayd securityes will stand Obleiged for his Immediate Transportacōn for Europe or be Confined to some Credible house in this County, for some reasonable time vntill he Cann Take shipping, Not Exceeding Two months, And that he shall not returne into this or any Other Neighbouring part of America, without the Consent of his Lordsp: and both houses of Assembly, Then this house is Content therewith and will Advance some Tobacco Towards the paym^t of his fees, if the vpper house will Concurr therein

Signd p Ord^r C Boteler Cler &c.

w^ch being read and Signd was sent vp: by M^r Carvile & M^r Hall

Then was read a bill for reiveing the Temporary Lawes of this the 3^d time and by Speciall Ord^r of house Assented to, And signd by the Clk. and M^r Hatton and M^r Peerce sent to the vpper house therewith:

They Returne and say they have delivered the same

M^r Hill sent to knowe if the vpp^r house have thing to send this house to Night:

He returnes and Sayes there is a Messenger Comeing from the vpper house & besides that they shall send noe more to Night

About buildings

Then Coll Darnall from the vpper house, and brings with bill for Erecting a Court house and Offices

&c And sayes the vpp[r] house ction well as it is, but should like it much better if Chimneys were Contrived In it L. H. Journal Original.

The Committee for building goe out to perfect the bill

The house Adjournes till To morrow morning 7 a Clocke.

Munday November the ffifth 1683:

The house mett and Called all p[r]sent as One Satterday

Then was Read what was done One Satterday

Then was read a bill Entitled an Act ag[t] Excessive vsury the first time

Then was Drawn the following message

Lower House of Assembly Novemb[r] the 5[th] 1683 p. 68

This house by a message Dated the 29[th] of October last past for reasones therein mentioned Desired that One hundred Thousand pounds of Tobacco might be leavyed this p[r]sent yeare & p[r]sented to his Lōp to w[ch] the vpp[r] house hath not yet made any Answere, Therefore this house doe againe move their Concurrence therein that the bill for paym[t] of the Publique Charge may be finnished this morning.

Signd p Ord[r] C Boteler Cler

W[ch] being read and signd, was sent to the Upper house by M[r] Bi Long M[r] Hutchins and M[r] Ennalls: They returne haveing de

Coll Darnall comes w[th] a message, w[ch] being read is as fo

Upper house Novemb[r] 5[th] 1683

Message desireing all the bills past to bee sent vpp: The Lower house is desired to Transmitt to this house [all such Bills] before them as have past both houses for their reveiw, & th[t] they will prepare all things in a readiness ag[t] to morrow morning for his Lōp to Conclude this Sessions

Signd p Ord[r] Jn° LLewellin Cler Assist[t] &c.

Then Came Coll Darnall with the ffollowing message (viz[t])

Upp[r] House November the 5[th] 1683:

Answere to the message about the p[r]sent His Lōpp being present In this house vpon receipt of the last message by M[r] Burford &c. Returnes his harty Thanks to both houses of Assembly for their Kind Tenders therein, but Considering the great Charge the Country hath already been at, hath not thought fitt to Accept of the same, w[ch] this house doth Signify to the Lower house, as an Answere to their message

Signd p Ord[r] John LLewellin Clk Assistant &c.

L. H. Journal Original. ffive bills sent vpp. Then was M^r Peerce and M^r Addams sent to the vpp^r house with the foll Bills

1 An Act for Naturalizeing Peter Maisee de Moysne et alios:

2 An Act prohibitting the Imbezelling his Lops Ordinance:

3 An Act provideing ag^t suddayne Accidents in this Goverment

4 An Act Limmitting the Extent of Attatchm^ts and Executions.

5 An Act , teing the Tares and Abuses in Tobacco Hogsheads.

Al ills Are Assented to by both houses, of Assembly. This p^rsent sessions:

Then was read A bill Entitled An Act ag^t Excessive vsury the second time by Speciall Order of this house

Act for buildings Read Then was read A bill Entitled An Act for the Erecting and building a house for the Convenience of Holding Courts &c: The first time

Put to the Question whether any Tobacco shall be Leavyed this yeare Towards the building in the bill aforsd mentioned. Yea or Nay:

Voted In the Affirmative:

Votes Concerning the same The question was Then putt, how much Tobacco shall be Leavyed this p^rsent yeare

Voted 50000 ll of Tobacco this yeare

And alsoe 50000 ll of Tobacco next yeare

p. 69 Then M^r Carvile was sent to the vpp^r house w^th the bill not Assented too for his Lōps approbation, And to desire his Lōp to Appoynt the place to bee built vpon, Alsoe to p^rsent to his Lōp the names of Comissioners to bee Incerted into the bill for Carrying One the building aforesd, for his Lordships Approbation of them

He returnes and sayes that Coll Coursey Told him the vpper house was Adjo to morrow morning, but desired M^r Carvile to Leave the Bill and propo his Lōps Consideracc̄on, because his Lōp was resolved to Read Over he had done all the Other this day sent vp, And when the They would send a full Answere to the message

djournes Till To morrow morning 7 a Clock:

Tuesday November the sixth 1683:

The house mett and Called all present as Yesterday:

Then was read what was done yesterday

Then Came Coll Darnall from the vpp^r house, and Desired to knowe if this house were ready to Attend his Lōp: To Conclude this Sessions

A Conference desired

Mr Carvile therevpon was sent to the vppr house, to desire tht some of the members of this House, may have Conference with some of the members of the members of the vppr house Concerning the Last message in writeing by Coll Darnall. L. H. Journal Original.

He returnes and sayes he has delivered his message

Major Sewall Comes with a message, wch being read is as followeth vizt

Upper house November the sixth 1683

Answere therevnto

The last verball message Of the Lower house p Mr Carvile, desireing some of the members of this house to Joyne in Conference with some of theires. This house Conceive to Generall, and Desire the Lower house will render themselves more particular by Informing this house what it is they would Conferr about, before such time as this house Cann appoynt any of their rs to that purpose his Lōp: being now prsent in this house and pre clude This Sessions

Signd p Ordr John LLewellin Cler Assist &c.

Then was Drawne the following Message vizt

Lower house of Assembly November the 6th 1683

The 5 bills sent for downe

This house desire the vppr house to send downe all such bills as have been Assented to This Sessions by both houses, That the Speaker may prsent them to his Lōpp as alwayes hath been the vse heretofore, And that the Uppr house please to send Their Answere, to the bill last night sent for provideing a building &c In the body whereof is pposed the Leavying of 50000 ll of Tobacco this prsent yeare, Till when this house Cannot perfect the bill for paying the Publique Charge.

Signd p Ordr C Boteler Cler &c.

Which being read and Signd, was sent vp: by Mr Carvile & Mr Richardsone Coll Stevens brings a message: wch being read is as followeth vizt p. 70

Uppr house November the 6th 1683:

A place for building Nominated

His Lōp being moved by this house, to nominate a place for the Court house &c Doth say and Declare that when a Conveniency shall be provided in South River in An Arrundell County, Sufficient for reception of his Lordsp and Councill and for holding of Assemblyes & provinciall Courts [and the] severall and respective Offices, thereon depending his Lōp [will make] vse thereof for such ends soe long as he shall see Convenient

Signd p Ordr John LLewellin Clk [Asst of Assembly]

L. H. Journal Original.

Then was read a bill Entitled an Act for payment of The third time by speciall Order of the house, & past the house

Cap^{t} Smith and M^{r} Hutchins sent to the vpp^{r} house with the bill

Coll Darnall from the vpper house brings the following Bills

Bills brought from the vpper house

1 A bill for Naturalizeing Peter Maisee de Moysne et alios,

2 A bill for prohibitting the Imbezelling his Lōps Ordinance

3 A bill provideing ag^{t} Suddayne Accidents in the Goverment

4 A bill Limmitting the Extent of Attatchments & Executions.

5 A bill Regulateing the tares and Abuses in Tobacco Hosheads

6 A bill for Advancement of Trade.

7 A bill for Naturalizeing Powlsone Johnsone et Alios

8 A bill for Reviveing

9 A bill for the payment of the Imposition of 2 ^{s} ꝑ hh. &c.

10 A bill for payment and Assessing the Publique Charge.

He alsoe bringeth with him a message w^{ch} being read is as followeth:

Upper house Novemb^{r} the 6th 1683:

A message Concerning Building

The Lower house is desired to Joyne with this house, In a vote to be Entered On both their Journalls, for the Assessing and Rayseing of some Tobacco to be deposited [in the hands] of such Commissioners, as they shall Appoynt for the building of a [Court house] &c: As to the Dimentions whereof, they may (if they thinke fitt) Regulate themselves According to the bill Drawne vp by the Lower house

Signd ꝑ Ord^{r} John LLewellin Cler Assist^{t} &c.

Consideraccōn desired ffor Mr Lewellins service

Coll Darnall further desires that M^{r} Lewellin may bee Considered for his service to the vpper house haveing been serviceable both wthin & without the house and desires Onely to have his Expences born

In Answere wherevnto was sent the following message

Lower house of Assembly November the 6th 1683.

Answere

This house thinke necessary that M^{r} Thomas Grunwin Cler of Assembly haveing been allowed his full sallary, that he allow M^{r} Lewellin what hee deserves for his Service in the vpp^{r} house

Signd ꝑ Ord^{r} C Boteler Cler &c.

W^ch being read and signd was sent to the vpp^r house by M^r Hill, who was alsoe Ordered to Acquaint them that noe sum of Tobacco Cann be, furth^r Allowed, vnless the bill for Assessing the Publique Charge be faire drawne Over w^ch there is now Noe time to doe. L. H. Journal Original. p. 71

He returnes and sayes he has delivered the sayd Message

This house sent for — Then Came M^r Secry Sewall & acquaints this house, that his Lōps is ready in house to Conclude this sessions, And requires this house to Atten re:

They goe vp — Wh house Adjourne Into the vpp^r house to Attend his Lops

Th Right Hono^ble the Lord Proprietary Demands of M^r Speaker and ouse what bills they have to w^ch they desire his Assent

The bills p^rsented — Wherevpon M^r Speaker delivers to his Lōp all the forementioned bills being Tenn in number, Reading the titles as he delivers them

Which being done his Lōps Answeres

His Lōpps Answere to severall Bills — To the bill prohibitting the Imbezelling his Lōps Ordnance &c That there is a Law for that alreadie, w^ch though seveer Enough in the letter yet found Insufficient to deterr Ill minded people from Imbezelling them, soe that a Law proposeing lesser penaltyes as this doth, Cannot be sufficient to that end, Therefore his Lōp sayes he will Advise therevpon

To the bill provideing ag^t suddayne Accidents in the Goverment:

That he hath soe sufficiently provided for all things Conteyned in th^t bill That he thought there was need of itt,

To the bill for Continueing the payment of the Imposition of 2^s p hh to his Lōps Sonne &c: his Lōpp returnes his thankes to both his houses for their kind Tender thereof, And Desires it may not be ill taken if he Declines it at present:

To the bill for Reviveing the Temporary Lawes: His Lōp sayes that in that bill there is mentioned an Act for killing of to bee revived, by the same, w^ch Ought not to have been there because by an Act of Assembly for Ascertayning the Lawes of this province the sayd Act is made perpetuall and soe has noe need of being revived: To w^ch M^r Speaker made Answere That though th^t Act was by a mistake put into the Act for Ascertayning the Lawes, w^ch law for Ascertayneing the Lawes is a perpetuall Law, Yet he humbly Conceives that the Act for killing of wolves, being in its Owne body, Expressed to be Temporary is not made perpetuall by being barely Incerted into the Other, for though that Law be perpetuall w^ch Ascertaynes the lawes therein mentioned to be

L. H. Journal Original. p. 72

Lawes, Yett he Conceives it Changeth not the Nature or quallity of any law ffrom being Temporary to be perpetuall, but only Assertaynes them to bee lawes, in such manner and forme, and to such Intents & purposes as in the bodyes of the same lawes, were before Expressed.

To which his Lo^pp Replyes, th^t the Act for Killing of wolues is w^thout doubt made perpetuall, because the Act w^ch Assertaynes the same to be a law is perpetuall and hath Assertayned th^t Act to be a law Accordingly.

Therefore his Lōpp desires M^r Speaker and the members of the Lower house to returne to their Owne house & Consider thereof, And alsoe th^t in the sayd Act of Reviver Are Conteyned severall ssary to be revived w^ch his Lo^pp sayes he is willing to Assent to
Killing of wolves be left out of the sd Bill:

Wherevpon M^r Speaker and the members returne, to their Take their places: And After severall Argum^ts & debates Concerning the same, It was Put to the question whether a new bill of reviver shall be drawne leaveing out the Act for killing of Wolves.

Uoted in the Negative

The question was then Put whether, the same bill be againe p^rsented to his Lōpp for his Assent:

Resolved in the Affirmative.

Then this house, goe into the Upper house, & After severall Arguments relateing to the sd Bill of Reviver, his Lōp Disassents to the sd Bill but to the Other bills, being Six in number Entituled as foll

Bills past this Sessions

1 A Bill for Naturalizeing Peter Maisee de Moysne & Others

2 A bill Limmitting the Extent of Attatchm^ts & Executions,

3 A bill regulateing the tares & Abuses in Tobacco, hogsheads.

4 A bill for Naturalizeing Poulsone Johnsone & Others.

5 A bill for Advancem^t of Trade.

6 A bill for payment & Assessing the Publique Charge

His mands the Great Seall to be Affixed, And w^th his Owne hand subsc words Viz^t Wee Will these to be Lawes:

C Baltemore

Vnd^r which was written

Published vnder the great seale of this province Novem^br the 6^th 1683:

Henry Darnall Keep^r

Then his Lōpp sayd th^t Takeing Into his Consideracc̄on the Temporary Lawes of This province in the bill of Reviver mentioned, many of w^ch are good and Necessary for the good

Goverment of the People of this province, yet would Expire, and become Voyd, if he should now Conclude this sessions, And therefore he sayth he hath thought fitt to Continue Them in force by Adjourneing Both houses Till the first Tuesday in Aprill next And Giveth Lycence to the Lower house to Adjourne Themselves Accordingly L. H. Journal Original. p. 73

Wherevpon Mr Speaker and the members of The Lower house Returne to theire Owne house, And After some time of Consideracc̄on There

House Adjourn'd Adjourne The house Till the ffirst Tuesday in Aprill Next.

C Boteler Clk of the Lower house of Assembly

An act for Regulateing the tares & abuses in tobacco Hogsheads Liber W. H. p. 247

ffor prvention of the vnreasonable greate Tare of Tobacco hogsheads of verry Ill Consequence & damage to Mrchants & others Traders here, within this Province & alsoe to avoid the many Inconveniencys of too weighty & vnseasoned Casque, Bee itt enacted by the Right Honble the Lord Propry of this Province by & with the advice & Consent of the vpper & Lower houses of this prsent Genll Assembly & the Authority of the same that from & after the ffive & Twentieth day of december next ensueing all Mrchants Traders planters, overseers or others Inhabitants of this Province makeing any Cropps of Tobacco shall provide & Cause to bee fallen & sawed by the Last day of Aprill att farthest in every yeare Respectively all such Timber as shall bee Intended or allotted for the makeing Tobacco hogsheads to the end that the same may bee well seasoned vnder the penalty of one hundred pounds of Tobacco forfeiture for every hogshead hee or they shall have sett vpp or made of any other Timber then what shall bee fallen as aforesaid one halfe to the Right Honble the Lord Propry of this Province the other halfe to him or them that shall sue for the same in any Court of Record within this Province, wherein noe Essoine proteccon or wager of Law to bee allowed. And bee itt further enacted by the said Lord Propry by & with the advice & Consent aforesaid & the Authority of the same that from & after the aforesaid ffive & Twentieth day of december noe Tobacco hogsheads or Caske for Tobacco, shall bee sett vpp or made by any Cooper or Coopers whatsoever of any other Timber then what is herein before provided & the same to bee Hewen or Riven into Staves & Heading by the Last day of July in every yeare Respectively & when sett vpp & finished nott to weigh above

Liber W. H. ninety pounds ꝑ hogshead vnder the penalty of one hundred pounds of Tobacco for every Hogshead that shall from & after the said ffive & Twentieth day of december next bee sett vpp of any other Timber then what shall bee soe fallen & Hewen or Riven as aforesaid or shall when sett vpp & finished exceed the weight of ninety pounds as aforesaid to bee paid by such Cooper or Coopers as shall sett vpp or make any such Caske or Casks to bee Recovered in the County Court where the offence shall bee Comitted the one halfe to the Lord Propry the other halfe to the Informr or him or them that shall sue for the same as aforesd This Act to endure for three yeares or to the end of the next Sessions of Assembly wch shall ffirst happen.

p. 248 An act Limiting the Extent of Attachmts & provideing what shall bee Levied on Attachmts & Execucons

Whereas the acts formerly made Concerning Attachmts prscribe severall Rules for prosecuteing the same, butt most of them soe vncertaine & doubtfully expressed that they scarce throughout admitt of a Coherent Interpretacon whereby many doubts have beene made & various Judgemts therevpon given, to the end therefore that the manner of proceeding on such Attachmts may bee more plainely & Clearely sett downe, wee the deputys & delegates of the Lower house of this prsent Genll Assembly doe humbly pray that itt may bee enacted, And bee itt enacted by the Right Honoble the Lord Propry of this Province by & with the advice & Consent of the vpper & Lower houses of this prsent Genll Assembly & the Authority of the same that from henceforth noe Attachmt shall Issue out of any Court of this Province before a writt or sumons bee ffirst made out vpon which writt if the party deft bee Inhabitant or Resident within this Province & the shreife Retourne a non est Inventus, one other writt or sumons shall therevpon in manner aforesaid Issue forth agt the said deft, & if the Shreife shall on the second writt or sumons Retourne a non est inventus Likewise an Attachmt shall & may therevpon in manner hereafter sett downe bee awarded, & in Case any writt or sumons shall Issue forth of any his Lordshipps Courts in this Province agt any person or persons absent out of this Province in such case vpon the Retourne of a non est inventus by the Shreiffe on such writt or sumons & the party plt his leaveing with the Attorny of such absent deft if hee hath Left an Attorney a Coppy of his declaracon or short noate expressing the true Cause of accon or if hee hath left noe Attorney then the plt Leaveing a Coppy of his said declaracon or short noate expressing his true Cause of accon att the house where the said absent deft did Last Reside or dwell & makeing such proofe

of his accon as the said Respective Courts shall thinke fitt itt Liber W. H.
shall & may bee Lawfull for the Justices of the said Courts to award an Attachm^{t} ag^{t} the goods Chattles & Creditts of the said absent deft soe as aforesaid prosecuted & not appeareing to the said accon which are or shall bee in the hands or possession of any person or persons whatsoever even in the plts owne hands for his the said defts vse in this Province in which said Attachm^{t} there shall bee a Clause Comanding the Shreife of the Respective Countys att the time of executeing the said Attachm^{ts} to make knowne to each person & persons in whose hands or possession the said goods Chattles or Creditts of the said absent deft shall bee attached that they bee & appeare att the Respective Courts att the day of the Retourne of such Attachm^{t} to shew cause (if they have any) why the said goods Chattles & Creditts soe as aforesaid in theire hands Attached should not bee Condempned & execucon thereof had & made as in other Cases of Recoverys or Judgem^{t} given in Courts of Record att which day of the Retourne of the said Attachm^{t} if the said deft shall not then appeare nor the said Garnishee in whose hands the said goods Chattles & Creditts of the said deft were Attached shew sufficient Cause to the Contrary, the said Respective Courts shall & may Condemne the said goods Chattles & Creditts aforesaid soe as aforesaid Attached & award execucon thereof to bee had & made either by Capias ad satisfaciend fierifacias, or otherwise as on other Judgem^{ts} hee the said plt soe as aforesaid prosecuteing giveing good & sufficient security before the Justices of each Respective Court to & for the vse of the said deft soe as aforesaid being not found within this Province or absent out of the said Province as aforesaid to make Restitucon of the said goods Chatles or Creditts soe as aforesaid Condempned or the value thereof if the deft soe as aforesaid prosecuted shall att any time within one yeare & day (to bee accounted from the day of the said Attachm^{ts} awarded) come in & either in person or by Attorney appeare to the said originall accon ag^{t} him & make itt appeare that the said plt hath beene & is satisfied & paid the debt or demand in the said action or shall otherwise in Court discount or barr the said plt of the same or any parte thereof, which said Condempnacon & execucon of the said goods Chattles or Creditts of the said defts in the hands of the said Garnishee p. 249
or Garnishee's as aforesaid had & made shall bee sufficient & pleadable in barr by the said Garnishee or Garnishees in any accon brought ag^{t} him or them by the said deft for the same.

Provided always that noe Shreife shall Leavy by way of Execucon as aforesaid ag^{t} any the said Garnishee or Garnishees any more then the plts debt & Costs nor ag^{t} any Garnishee or Garnishees any more then what the said plt in the said accon shall

Liber W. H. make appeare to the said Respective Courts to bee of the said goods Chattles & Creditts of the said deft in the hands of each Respective Garnishee or Garnishees togeather with such Costs only as such Garnishee shall putt the plt to, by denying himselfe to bee Indebted to such deft & Contesting the same, Provided alsoe that noe Shreife in any County within this Province shall by any Attachm^{t} or any Execucon had vpon such Attachm^{t} or any other Execucon whatsoever out of any Court in this Province Leavy seize or take the goods & Chattles of any the Inhabitants of this Province soe farr as to deprive them of all Livelihood for the future butt that Corne for neccessary maintenance bedding gunn Ax potts & Labourers neccessary Tooles with such like household Implem^{ts} & aminiccon for subsistance shall bee protected from all such Attachm^{ts} & execucōns whatsoever, And provided alsoe that such as shall bee found by proofe or other Circumstances willfully to absent themselves into the woods or else where from the shreiffs sight whereby they cannot bee found to bee brought to a Tryall & such alsoe as shall bee absent by flight or proscripcon out of this Province (to bee averred vpon oath) shall have noe benifitt of any favourable Interpretacon of this Law.

And bee itt enacted by the Authority aforesaid that from henceforth any ꝑson or ꝑsons haveing obtained any Judgem^{t} in any Court of this Province or which shall hereafter obtaine any Judgem^{t} in any Court of this Province ag^{t} any ꝑson or ꝑsons itt shall & may bee Lawfull to & for the said plt in the said Judgem^{t} att his will & pleasure insteed of any other execucon without those p^{r}vious Requisites as above in this Act p^{r}scribed & directed to take out an Attachm^{t} ag^{t} the goods Chattles & Creditts of the said deft in the said Judgem^{t} in the said plts owne hands or in the hands of any other ꝑson or ꝑsons whatsoever which said Attachm^{t} shall likewise have the Clause aforesaid, Cōmanding the Shreife of the said County to whom itt shall bee directed att the time of executeing the said Attachm^{t} to make knowne vnto each ꝑson & ꝑsons in whose hands & possession the said goods Chattles & Creditts of the said absent deft, shall bee attached that they bee & appeare att the Respective Courts att the day of the Retourne of such Attachm^{t} to shew cause if they have any why the said goods Chattles & Creditts soe as aforesaid in theire hands attached should not bee Condempned & Execucon thereof had & made as in other Cases of Recoverys or Judgem^{ts} given in Courts of Record att which day of the Retourne of the said Attachm^{t} if the said deft shall not then appeare nor the said Garnishee in whose hands the said goods Chattles & Creditts of the said deft were attached shew sufficient Cause to the Contrary the said Respective Courts shall & may Condemne

the said goods Chattles & Creditts aforesaid soe as aforesaid attached & award execucon thereof to bee had & made either by Capias ad satisfaciend fieri facias or otherwise as the said plt might have had ag^{t} the deft himselfe on the Judgem^{t} aforesaid, which said Condempnacon & execucon of such goods Chattles & Creditts of the said defts in the hands of the said Garnishee or Garnishees as aforesaid had & made shall bee sufficient & pleadable in barr by the said Garnishee or Garnishees in any action brought against him or them by the said deft for the same, And bee itt further enacted by the Authority hereof that all acts made att any time heretofore Limiting the extent of Attachments bee and are heereby Repealed this act to endure for Three yeares or the end of the next Generall Assembly, which shall first happen. Liber W. H.

An act for Advancement of trade. p. 250

Bee itt enacted by the Right Hono^{ble} the Lord Prop^{ry} of this Province by & with the advice & Consent of the vpper & Lower houses of this p^{r}sent Gen^{ll} Assembly & the authority of the same that from & after the Last day of August one Thousand six hundred Eighty & ffive the Townes Ports & places hereafter mencōned in the severall & Respective Countys within this Province shall bee the Ports & places where all Shipps & vessells tradeing into this Province shall vnlade & putt on shoare & sell barter & Trafficke away all goods wares & Comoditys that shall bee imported into this Province & Likewise that all Tobaccos goods wares & Merchandizes of the growth Produccon or manufacture of this Province inserted to bee sold here or transported out of this Province shall bee for that end & intent brought to the said Ports & places. That is to say in the County of S^{t} Marys att the Citty of S^{t} Marys, & att Brittons bay, att John Bayleys or Taunts, & att the Indian Towne att Choptico his Lordshipps manno^{r} And in the County of Kent att Shipping als Coxes Creeke, & att new Yarmouth in Grays Inn: Creeke. And in the County of Ann Arrundell att the Towne Land att Procto^{rs} & att South River on Coll Burges his Land & att Herring Creeke on the Towne Land, And in the County of Calvert att S^{t} Leonards Creeke on Richard Smiths Land, & on Holling point on his Ldspps Manno^{r} & att John Bowlings Land neere Gaunts Land, & att Warrington on the Clifts Towne Land, And in Charles County on diggs his purchase in Wiccocomico River formerly ffendalls on the Creeke, & on the Church Land on the East side Portobacco Creeke neere the Mouth of the Creeke, & on Stumpe necke neare Climyemuxen on M^{r} Red-

Liber W. H. dish his Land, And in Baltemore County in Patapsco River neere Humphreys Creeke & on Bush River on the Towne Land neere the Court house, And in Talbott County neere Tredaven Creeke att the Towne Land, & in Kingscreeke neere the old Towne & in Wye River Towne Land there, & att the Towne Land att the forke in Chester River, And in Somersett County in Wiccocomico River on the South side on the Land next above the Land of the Orphants of Charles Bollard & on the Land on the North side of Windford Creeke, (vizt) Smiths & Glannills Land & on Horseys Land in Annimessex & on Morgans Land formerly called Barrowes towards the head of Pokamoake, & on the Land betweene Mr Jenkins Plantacon & Mr Howards Plantacon on the North side Pokamoake, And in dorchester County on Morgans Land neare the head of ffishing Creeke in little Choptanke & on Traverse his Land on the West side of the North West branch of Transquaquin River. And in Cecill County att Capt Johns Creeke Willm Prices Plantacon in Elke River & in Sasafrax River att William ffrisbeys plantacon, & in Worton Creeke, And bee itt further enacted by the Authority aforesaid that from & after the proclaiming this act all & every the psons hereafter named shall bee Comissrs of & for theire aforesaid severall & Respective Countys & they & every of them shall execute the powers & Authoritys hereby given according to the Rules & direccons hereafter in this act menconed & prscribed as well for the buying & purchaseing of the aforesaid Towne Lands Ports and places of the now owners & possessors of the same, as for the surveying & Laying out of the said Ports Townes & places aforesaid, & makeing & stakeing out the severall Lotts to bee laid out in the said Townes to the end the Length breadth & extent of every Towne & the severall Lotts in every Towne port & place may bee the better knowne & observed. That is to say for St Marys County Coll Willm diggs Mr Robert Carvile Mr Leonard Greene Mr Clemt Hill Mr Wm Hatton Mr Kenelme Chiseldyne Mr John Lewellin Mr Randoll Hanson Mr John Addison Mr Stephen Gosse Mr Justinian Gerrard, Mr William Rosewell, Mr Joseph Pyle Mr
p. 251 Richard Gardner, Mr Wm Boreman Senr Mr Cuthbert Scott, Mr James Bowling Mr Thomas Mudd, Mr John dent, Mr James Pattison Mr Jno Cambell Mr Joshua Guibert, Mr John Watson & Mr Thomas Courtney. And for the County of Kent Coll Henry Coursey, Mr Joseph Weeks Mr Henry Hosier Majr James Ringold, Mr Miles Miller, Mr Nathaniell Evett, Mr Cornelius Comegys, Mr Thomas Boone, Mr Phillipp Conner, Mr Wm Lawrence Mr Lewis Blangey, Mr Anth: Workman Mr Wm Frisby, Mr Wm Harnis, Mr Alexander Nath, Mr Morgan Williams Mr Thomas Orsborne, Mr Christopher Godhand, Mr Wm

Vaughan Mr Hans Hanson, Mr John Bowles, Mr John True, Liber W. H.
Mr Charles Tilden, Mr Isack Winchester, and for the Coonty of Ann arrundell Coll Thomas Taylor, Coll Wm Burges, Capt Richd Hill, Mr Wm Richardson, Major John Welsh, Major Nicholas Gassoway, Capt Tho Francis, Mr Sollers, Mr Edwd Dorsey, Mr Henry Ridgely, Mr Geo. Yate Mr Edwd Burges, Mr Richd Beard, Mr Henry Constable, Mr Nathan Smith Mr Samuell Chew, Mr Benjamin Laurence, Mr John Bennitt, Mr Marien Duvall, Mr Edwd Talbott, Capt Henry Hanslape, Mr Greenbury, Mr Mathew Howard, Mr Ferdinando Battey.—And for the Covnty of Calvert, Coll Henry Darnall, Major Nicholas Sewall, John Darnall Esqr Thomas Trueman Esqr Richd Hall, Mr Francis Hutchins Capt Samuell Bourne, Capt Richd Ladd, Mr Richd Johns, Mr Thomas Starling, Mr Francis Billingsly, Mr Roger Brooke, Mr Richd Smith Junjor Mr Thomas Tasker Mr Mordecay Hunton, Mr Thomas Brooke, Mr Geō Lingam, Mr Andrew Tenehill, Capt Thomas Cleggett, Mr Nathaniell Ashcomb, Mr John Gregg, Chris. Rousby Esqr Mr Richd Harrison & Mr Thomas Bincks.—And for the Covnty of Charles Coll Wm Chandler, Mr Edwd Pye, Mr Thomas Burford Mr Henry Adams, Mr Ignatious Causeene, Capt James Neall, Capt Humphery Warren, Mr John Wheeler, Capt Wm Barton, Mr Robt Henley, Mr James Tyre, Mr. John Stone, Mr James Smallwood, Mr John Bayne, Mr Joseph Cornall, Mr Wm Smith, Mr John Gouge Mr Henry Hawkins, Mr Jno Reddish, Robt Pyne, Mr Jno Munn, Mr James Wheeler, Mr Edwd Sanders Mr Edwd Mings—And for the Covnty of Baltemore Coll Geō Wells Mr Henry Johnson, Major Thomas Long, Mr Miles Gibson, Mr Edward Beedle, Mr Richd Edmonds, Mr Peter Ellis, Mr John Yoe, Mr James Phillips, Mr Marck Richardson, Mr Wm Osborne, Mr Wm Yorke, Mr James Collier, Mr John Booren Mr James Thompson, Mr John Thomas Mr David Jones, Anthō Mondediers, Mr Francis Lovelace, Mr Charles Gorsuch, Mr Thomas Richardson, Mr John Kemp, Mr Wm Cromwell, & Mr Francis patkins—And for the Covnty of Talbott, Coll Henry Covrsey Coll Vincent Low, Coll Phyleemon Lloyed, Mr John Rousby, Major Wm Covrsey, Mr Edwd Mann, Major Peter Sayer, Capt Wm Helmsley, Mr Wm Bishopp Mr Wm Combes, Mr Geō Robotham, Mr John Offley Mr Jno Kenniman Mr Symon Stephens, Mr John Davis, Mr Thomas Taylor, Mr Edwd Stephens, Mr Tristram Thomas, Mr Richd Jones Senjor Mr Henry Weslocks, Mr Bryan Omealy, Mr John Newman, Mr John Hawkins Mr James Murfey.—And for the Covnty of Somersett Coll Wm Stephens Capt Henry Smith Capt John Osborne, Coll Wm Coleborne, Capt Wm Coleborne, Capt David Browne, Capt John Winder, Mr James Dasheele, Mr Edwd Day, Mr Robt King, Mr Edmond Beauchamp. Mr Thomas James, Mr Charles Ratliffe Mr Thomas

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Purall, Mr Francis Jenkins, Mr Leven Dennard Mr John King, Mr Charles Hall, Mr Wm Planner, Mr Thomas Price, Mr John Williams Senjor Mr Thomas Newball, Mr Wm Walton Mr Roger Woolford. And for Dorchester Covnty Major Thomas Taylor, Mr John Brookes, Mr Bartholomy Ennolls, Capt Henry Tripp, Mr Dannll Clarke, Mr Charles Hutchens Mr Edwd Pindar Mr John Pollard, Mr Jno Hindson Mr Anthº Dawson, Mr Thomas Pattison, Mr James Peterkin, Mr John Salisbury, Mr Thomas Hicks, Mr John Mackeele, Mr John Alford, Mr Henry Hooper, Mr Jacob Lockerman, Mr John Richardson, Mr Richd Owen Mr Wm Dorington, Mr John Stephens, Mr Edward Brannock & Mr John Woodward.—And for the Covnty of Cæcill Coll Geō Talbott, Capt Joseph Hooken, Mr Nathaniell Garretts, Mr James Frisby, Mr Wm Peirce Mr Wm Dare, Mr Geō Warner, Mr Edwd Jones, Mr Charles James, Mr Benjamin Gundry, Mr Gidian Gundry, Mr Swithin Wells, Mr Phillip Oleager, Mr Richd Pullen Mr Henry Peringhr Mr Roger Laramore, Senjor Mr Geō Oldfield Mr Edwd Beeke, Mr Edwd Blay, Mr Robt Sanders, Mr Thomas Bostick Mr Wm Ward, Mr Geō Higgenbottom Mr Oliver Calke, And be it Enacted by the authority advice & Consent aforesd that the sd Comrs herein nominated for each Respective Covnty, or the Major part of them are hereby Impowred sometime before the five and twentieth day of March One thousand six hundred Eighty & foure to meete together upon the Respective Lands & Places, in the act before mencōned, or at some other Convenient place neare thereabouts & shall then & theire treate & agree with the Owners & all ꝑsons Interested In the sd Lands & buy & purchase of the Owners & ꝑsons Interested in the sd Lands, One hundred acres of Convenient Land In the discresion of the sd Comrs least prejudiciall to the Owners, & after purchase thereof shall Cavse the same to be surveyd, & after the survey so made, of the sd One hundred acres of Land shall Cavse the same to be marcked staked out and devided into Convenient streets, Laines & allies, with Open Space places to be left On which may be Erected Church or Chappell, & Marckett hovse, or other publick buildings, & the remaining ꝑt of the sd One hundred acres of Land as neare as may be into One hundred equall Lotts, marcked On some posts & stakes towards the streets or Lanes wth number (1: 2: 3: 4) & so to (100) out of wch Lotts the Owner of the sd Land shall have his first Choice, for one Lott, & noe ꝑson shall purchase more then One Lott duering the space & terme of foure monthes, after the five & twentieth day of March One thousand six hundred Eighty & foure & that the Lotts shall be purchased by the Inhabitants of the Covnty onely, & in Case the Inhabitants of the Covnty shall not take up the sd Lotts within the times of

foure monthes as afores[d] it shall be then free for any ꝑson or Liber W. H.
ꝑsons whatsoever to take up the s[d] Lott or Lotts, paying the
Owners ꝓportionable for the same, and in Case any ꝑson or
ꝑsons shall willfully refuse to make sale of any such Lands,
herein before menc̄oned or any ꝑson or ꝑsons through non
age Coverture non sane Memory or other Impedim[t] or dissabil-
ity whatsoever that then the Com[rs] afores[d] Nominated for each p. 253
Respective Covnty are hereby authorised by vertue of this
act, to Issue out warr[ts] to the Sheiriffes of theire severall &
Respective Covntys to Impower him to Impannell and returne
a Jury of freeholders before the sd Com[rs] which Jury upon
theire Oathes to be administred by the s[d] Com[rs] are to enquire
and asess such damages & recompence as they shall think fitt
to be awarded to the Owners & all ꝑsons Interested according
to theire severall & Respective Interests, in the s[d] Land or any
p[t] thereof & what sume of tobbacco the said Jury shall adjudge
the s[d] Land shall be worth shall be pd to the Owners & such
ꝑsons Interested by such ꝑson or ꝑsons as shall take up the
said Respective Lotts ꝓportionably to theire Lot or Lotts,
and the aforesaid Com[rs] are hereby Impowred or the Majo[r] p[t]
of them by Respective warr[ts] und[r] theire handst & seales, to
sum̄on the Surv[r] Gen[ll] or his Deputy or Deputies in each
Respective Covnties to survey & Lay out One hundred acres
of Land in the places herein before nominated and appointed
in manner & forme afores[d] and the s[d] surv[r] shall likewise marck
& stake out the s[d] One hundred acres of Land as afores[d] into
One hundred equall Lotts as the s[d] Com[rs] shall direct & appoint
as afores[d] with Convenient streets Laines & Allies as afores[d]
as neare as may be to the benifitt of each Respective Lott, &
when the s[d] One hundred acres of Land is so surveyd layd out
& Valued as afores[d] that then whoever shall make Choice of
any Lott, & make entry thereof before such ꝑson as by the
Com[rs] shall be appointed to keep the booke for entry of such
Lott & pay or give security for paym[t] of such sum̄e or Quantity
of Tobbacco as shall by the discrec̄on of the Com[rs] be rated
upon such Lott, and payable to the Owner of the s[d] Land, &
on such Lott so as aforesaid taken up, build one sufficient
twenty foot square hovse at the least before the last day of
August One thousand six hundred Eighty & five each Re-
spective Lott, to be held of the R[tt] Hono[ble] the Lord Prop[ry] of
this Province his Heires & Successors for ever, vnd[r] the yearly
Rent of One Penny Currant mony for each Respective Lott,
and the same or any other manner of settling or building upon
such Lott according to the direction of this Act, shall by Vertue
thereof Invest the sd taker vp & builder upon such Lott within
an Estate of Inheritance in the said Lott, to him his Heires
& Assignes for ever & shall be a ꝑpetuall barr to the Owner

Liber W. H. or Owners or any ꝑsons Interested In the sd Lands whether within or without this Province even agst his Lordspp the Rtt Honoble the Lord Propry of this Province his Heires & Successors saveing the Rents hereby in this act to his Lordspp his Heires & successors Reserved, & likewise upon tender of paymt & refusall the sd Building as aforesd with proofe of the tender & refusall, shall be binding to all intents & purposes agst the sd ꝑtys and theire Heires & Assignes so as aforesd refuseing or others Claiming any title or Interest in the sd Lands & grounds & shall be a full authority for the said Comrs to Cavse the same to be Converted to the uses & purposes aforesd & tht the Comrs of each Respective Covnty in this act named appoint a ꝑson to keep a booke to enter downe each mans Choise of any Respective Lott, tht he shall Choose, that hereby it may appeare what Lotts are taken up, & what remaine undisposed of, & in Case any difference happen to arise in or about takeing up the sd Lotts or the ꝑticular Divedents, hereby allotted or any other matter referring to the
p. 254 Execucōn of this Act the sd Comrs in each Respective Covnty or any five of them shall Imediately without any formality of Lawe Or terms heare & determine such difference according to their discretions,

And be it Enacted by the authority aforesd tht the survr shall have and Receive for surveying each Respective Lott being marcked & staked out as aforesd the sume of thirty pounds of tobbacco ꝑ Lott to be pd by him or them tht shall take up the sd Lott or Lotts.

And in Case the taker up of the sd Lott or Lotts refuse or neglect to build by the time appointed in this act that then it shall be Lawfull for any ꝑson or ꝑsons whatsoever to enter upon the sd Lott or Lotts paying such sume of Tobbacco as shall be first sett upon such Lott to the Comrs aforesd of such Respective Covnty or such ꝑson who they shall appoint for the publick use & benifitt of such Towne ꝑvided the second taker up or purchaser begin to build within one month after such his entry, made such house as in this act is Limitted and appointed, & shall finish the same within six months next after such entry, made as aforesd which hovse so built shall give & settle an Estate of Inheritance to him & his Heires for ever in the ꝑson so building as aforesd upon the sd Lott or Lotts as aforesd & in Case any the sd Lotts shall be neglected to be taken up for & dureing the terme of five yeares aftr the ꝑclaiming of this act, tht then & in such Case, the Owners & Persons Interested shall be possesst of the sd Lott or Lotts as in theire first & former Estate, any thing in this act Contained to the Contrary in any wise notwithstanding. Be it further Enacted by the authority aforesd that all shipps and Vessells

tradeing into this Province after the s^d^ Last day of August w^ch^ Liber W. H.
shall be in the yeare of o^r^ Lord God One thousand six hundred Eighty & five, shall unlade & putt on shore theire severall & Respective Good & Merchantdizes, at such Townes Ports & places onely as are in this Act before sett downe, & appointed to unlade Goods & Merchantdizes at under the paine & penalty of loosing and forfeiting all such goods & Merchantdizes by them Landed at any other places whatsoever, One third p^t^ thereof to the Lord Prop^ry^ One third p^t^ to the Justices of each Respective Covnty Covrt for the time being for the use and benifitt of such Towne next adjacent & in the Covnty where the s^d^ Offence shall or may be Comitted, & One third p^t^ to the Informer or him or them th^t^ shall seise or sue for the same, in any of his Lord^spps^ Covrts of Record within this Province; by bill Plaint or Informac$\bar{o}$n wherein noe Essoine Protecc$\bar{o}$n or Wager of Lawe to be allowed.

And be it Enacted by the authority afores^d^ that noe Merch^t^ Factor or Mariner or other p^r^son whatsoever tradeing into this Province whether Foreigner or Inhabitant within this Province from and after the last day of August One thousand six hundred Eighty & five, shall traffick sell or barter away any goods or Comodities within this Province but at some of the Ports Towns & places here in this act before appointed, for the unlaiding goods & Merchantdizes within this Province, und^r^ the paine & penalty of loosing & forfeiting all such goods & Merchantdizes sold or bartered away in any other place or places within this Province or the full value thereof to be recovered in any Covrt of Record within this Province by acc$\bar{o}$n of debt, bill plaint or Informac$\bar{o}$n Owne third p^t^ thereof to the Lord Prop^ry^ One third part to the Justices of each p. 255
Respective Covnty Covrt for the time being, for the use & benifitt of such Towne next adjacent & in the Covnty where the sd Offence shall or may be Co$\bar{m}$itted and One third p^t^ to the Informer, or him or them th^t^ shall seize or sue for the same, any former Lawe or useage to the Contrary in any wise notwithstanding. Provided th^t^ nothing in this act Conteyned shall restraine or be Construed to restraine or hinder any of the Inhabitants of this Province with any the goods & Merchantdize bought at any the ports townes places afores^d^ or with goods and Merchantdizes by them purchased Imported & Landed at any the Ports, townes, places afores^d^ to pay workemens wages & to buy and purchase at theire Owne or other Plantac$\bar{o}$ns out of the said Ports Townes & places necessary provisions of meate & drinck for themselves & familys, & not otherwise, any thing in this act before Conteyned to the Contrary in any wise notwithstanding. And be it Enacted th^t^ all goods wares & Merchantdizes of the growth p^r^duc$\bar{c}$n or

Liber W. H. Manufacture of this Province by & after the last day of August w^ch^ shall be in the yeare of o^r^ Lord One thousand six hundred Eighty & five, to be transported out of this Province shall be first brought to some Towne Port or place of unlaiding merchantdizes afores^d^ & from thence or from any other Port or place herein menc̄oned within this Province be shipped & Laden on board to be transported out of this Province & from noe other place or places, und^r^ the paine & penallty of the Losse and forfeiture of all such goods wares & Merchantdizes, or the full value thereof so shipped or transported, or attempted to be shipped or transported out of this Province from any other place or places as afores^d^ to be recovered by acc̄on of debt, bill plaint or Information to be recovered in any Covrt of Record within this Province, One third part to the Lord Prop^ry^ One third part to the Justices of each Respective Covnty Covrt for the time being, for the use & benifitt of such towne next adjacent, & in the Covnty where the sd Offence shall or may be Com̄itted & one third part to the Informer or him or them th^t^ shall seize or sue for the same, wherein noe Essoine protecc̄on or wager of Law to be allowed.

And be it further Enacted th^t^ the Owner or Owners of each Respective store hovse within the townes ports & places afores^d^ theire said store hovses not being full nor the Owner nor Owners thereof not haveing Occasion thereof for his & theire Owne ꝑper Tobbacco or other goods, shall upon request suffer the Owner thereof to put in & secure as if it weare his Owne all such tobbacco as shall be theire brought in hhds or soe much thereof as their said store hovse Can Conveniently hold and Conteyne the Owner and bringer of the s^d^ Tobbacco, paying the Owner of the s^d^ Store hovse the sume of ten pounds of tobbacco for each hhd that shall be soe Lodged & secured in the s^d^ store hovses, w^ch^ sd tobbacco shall be secured as afores^d^ by the store keeper for the sum̄e of tobbacco afores^d^ for and duering and untill the end & terme of one whole yeare
p. 256 or a less time, then one yeare, at the discrecc̄on of the Owner from the time of Receiving the same Casualtie by fire & other unavoidable accidents onely excepted, & in Case any store keeper or other owner and possessor of any such store hovse, haveing his store hovse empty or not sufficiently filled nor haveing Occasion thereof for his owne ꝑper tobb or other goods shall willfully refuse to receive take in & secure as afores^d^ such tobbacco so brought the sd ꝑson so refuseing shall be lyable to pay unto the Owner of such tobbacco all such damage losse and detrim^t^ as the Owner of such tobbacco shall any waie sustein by reason of the refusall afores^d^ the same to be recovered by bill plaint or Informacc̄on wherein no Essoine ptecc̄on or wager of Law to be allowed.

And be it further enacted by the authority afores^{d} th^{t} all Liber W. H.
Rents due to his Lord^{spp} the Lord Prop^{ry} of this Province his Heires & successors all publick Leavie & other Officers fees due upon Execucō which shall become due and payable from & after the sd Last day of August in the yeare of o^{r} Lord One thousand six hundred Eighty & five shall be brought to the Ports & places before mencōned and secured as other tobbaccos are Provided that nevertheless the Lord Prop^{ry} his Collectors & Receivers the Receivers of the Publick Leavy, & the said Officers & theire Collectors shall allow pay or discompt unto the s^{d} ꝑson or ꝑsons so bringing or Conveying the same to the s^{d} hovses ports & places herein mencōned the full sume of five pounds of tobbacco ꝑ hundred for every hundred pounds of tobbacco so brought & so proportionably for a greater or lesser quantity. And be it further enacted, by the authority afores^{d} th^{t} what tobbacco the sherriff or any other Receiver or Receivers shall accept Receive and Collect at the s^{d} Towns ports & places herein mencōned, which shall grow due from and after the s^{d} last day of August in the yeare of o^{r} Lord One thousand six hundred Eighty & five for his Lord^{spps} Rents publick Leavies, and Officers fees due upon Execucōn the sd sherriffs and Officers shall be allowed onely the sume of five pounds of tobbacco ꝑ hundred for Receiving the same and so ꝓportionably for a greater or lesser quantity any Lawe statute or useage to the Contrary thereof in any wise notwithstanding, ꝓvided the Charge of storeage of such tobbacco as shall be due as afores^{d} to the Officers upon Execucōn shall be allowed & discompted to the s^{d} storekeeper by such Officer to whom the s^{d} fees are due and payable.

And be it further enacted by the authority afores^{d} th^{t} any ꝑson or ꝑsons that shall build dwell & Inhabitt in any of the s^{d} townes ports or places herein before mencōned such ꝑson or ꝑsons shall & may Contract for barter buy & purchase any quantity or quantitys of goods or Merchantdizes whatsoever any Lawe statute or useage to the Contrary notwithstanding Provided the s^{d} ꝑson & ꝑsons buying the s^{d} goods & Merchantdizes shall likewise sell & barter away the s^{d} goods and Merchantdizes in the same towne, port or place where the same weare so bought, or in any other Port or Towne within this Province And be it further enacted by the p. 257
authority afores^{d} th^{t} all tobbacco which shall happen to be due & unp^{d} to any ꝑson or ꝑsons whatsoever by the s^{d} last day of August One thousand six hundred Eighty & five shall be brought to some one or other of the s^{d} Townes Ports or places in this act Limitted and appointed, at the Charge of the Creditor to whom such tobbacco shall be due & not otherwise.

And be it further Enacted by the authority afores^{d} th^{t} no

Liber W. H. ꝑson or ꝑsons not being Inhabitants & taxables in this Province shall at any time or times after the s^{d} last day of August One thousand six hundred Eighty & five, Lade transport, & Carry away, in any boate or vessell whatsoever from any plantac$\bar{o}$n or plantac$\bar{o}$ns or from any other place or places save the townes or ports before menc$\bar{o}$ned to any port of this Province, or on board any ship or Vessell whatsoever any tobbacco goods wares or Merchantdizes of this Province und^{r} penalty and Losse of such tobbacco goods wares and manufactures of this Province together with the loss of such sloop boate or other Vessell that shall Lade transport or Carry the same or the value thereof One third part to the Lord Prop^{ry} One third part to the Justices of each Respective Covnty Covrt for the time being for the use & benifitt of such next adjacent Towne & in the Covnty where the Offence shall or may be Comitted, and One third ꝑ^{t} to the Informer or him or them th^{t} shall seize or sue for the same to be recovered by acc$\bar{o}$n of debt bill plaint or Informac$\bar{o}$n wherein noe Essoine protecc$\bar{o}$n or wager of Lawe to be allowed.

And for encovragem^{t} of trade and quick dispatch of all shipps & Vessells tradeing into this Province as afores^{d} th^{t} there be some ꝑson by his Lord^{spps} before the sd last day of August One thousand six hundred Eighty & five Constituted and appointed in Wiccocomoco S^{t} Maries, Patuxent and Ann arrundell Covnty On the Western side of this Province & in the Covntys of Talbott & somersett on the Eastern side of this Province to take due entry & Cleere all such shipps & vessells tradeing into this Province as afores^{d} so th^{t} such shipp or shipps may not stand or be Obliged to stopp or stay for the same at any other port or place.

And further least the great number of townes ports & places afores^{d} may in time to Come prove burthensome to the publick by increasing the number of Burgases in Assemblys. Be it Enacted by the authority afores^{d} th^{t} no Towne port or place before menc$\bar{o}$ned shall at any time hereafter be enabled or made Capeable of sending an Citizen or Citizens Burgesse or Burgesses Delegate or Deputy to any Assembly hereafter to be Conveened or Called untill such time as the s^{d} town or townes, port or Ports, place or places, shall be actually Inhabited by such & so many familys as shall be sufficiently able to defray the Charge & expences of such Delegates or Deputys who shall be elected & Chosen by the freemen of each Respective towne or the Majo^{r} ꝑ^{t} of them without being in any sort Chargeable or burthensom to theire Respective Covnty for or by reason thereof but th^{t} the Charge & expence of such Citizens Burgessess Delegates, or Deputys shall from time to time & all times hereafter be defrayd & born by the Respec-

tive Inhabitants of such town port or place for whom they or Liber W. H.
any of them shall serve as afores[d] saveing to the Citizen of the
Citty of S[t] Maries all such Rights & previlidges as have been
heretofore granted unto them by his Lord[spps] Charter.

Provided this act nor anything therein Conteyned shall not p. 258
repeall the act & Law ags[t] Ingrossers nor give liberty to any
ꝑson or ꝑsons whatsoever to buy or Ingrosse any goods or
Merchantdizes brought to the s[d] Townes Ports or places to be
sould, but onely to such persons as shall actually be Inhabitants
of any the townes afores[d]

And provided also th[t] this act nor any thing therein Conteyned shall not give liberty to any ꝑson or ꝑsons whatsoever, to export out of this Province any goods or Comoditys by the Law of this Province ꝓhibited to be exported nor repeall any Law ꝓhibiting the same.

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